

STATE OF TEXAS

§

November 20, 2007

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, November 20, 2007.

MEMBERS PRESENT: CHAIRMAN JASON SOFEY;
COMMISSION MEMBERS: JACOBS, NIX, JONES, PLYLER,
DAVIS, SOFTLY, AND ATHERTON

MEMBERS ABSENT:

BETHEL

CALL TO ORDER

Chairman Sofey called the meeting to order at 5:00 p.m.

CALL TO ORDER

WELCOME NEW COMMISSIONER

Chairman Sofey welcomed new Commission Member Robin Atherton.

WELCOME NEW
COMMISSIONER
ATHERTON

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the October 16, 2007 Meeting. Motion by Commission Member Jacobs to approve the Minutes as written. Second by Commission Member Plyler. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENT

Chairman Sofey appointed the following members to serve on the Board of Adjustment: SOFTLY, DAVIS, JONES, NIX, AND JACOBS.

APPOINT BOARD OF
ADJUSTMENT

VARIANCE

THE REQUEST OF JOHN HENDRICKS (OWNER) CONCERNING THE PROPERTY LOCATED AT 1713 PEBBLEBROOK LANE, BEING LOT 1, BLOCK 6, PEBBLEBROOK, PHASE III ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

- A) VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(1) TO ALLOW AN 8 FOOT PRIVACY FENCE IN THE SIDE YARD IN LIEU OF A 6 FOOT FENCE IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT.
- B) VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(3) TO ALLOW A 5 FOOT SIDE YARD SETBACK ON A CORNER LOT IN LIEU OF THE REQUIRED 25 FOOT FOR AN 8 FOOT PRIVACY FENCE IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – 8' FENCE
IN SIDE YARD
1713 PEBBLEBROOK
(JOHN HENDRICKS)

John Hendricks, 1713 Pebblebrook Lane, Sherman, Texas

Mr. Hendricks appeared to represent the request. He explained he is requesting a variance for an eight (8) foot privacy fence with a five (5) foot side yard setback on a

corner lot because he has a swimming pool in the back yard and the fence would help secure the pool. The homes in the Pebblebrook subdivision are close together and there are a lot of children in the neighborhood. Mr. Hendricks purchased the home from Ryland Homes and there was an existing six (6) foot fence at this location. When he wanted to replace the fence he found out a variance would be required to place the fence in the same location.

No other citizens appeared before the Planning and Zoning Commission to discuss the variances.

ACTION TAKEN.

Motion by Commission Member Jones to approve the variances. Second by Commission Member Davis.

VOTING AYE: SOFTLY, DAVIS, JONES, NIX, AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN & PERMIT FOR MOBILE FOOD VENDOR

THE REQUEST OF KASHMIR SINGH (OWNER) AND WALTER THOMAS (TENANT) CONCERNING THE PROPERTY LOCATED AT 1728 F.M. 1417 SOUTH (HERITAGE PARKWAY SOUTH), BEING 10 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL AND PERMIT FOR A MOBILE FOOD VENDOR UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4.1) IN A C-2 (GENERAL COMMERCIAL) DISTRICT, R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND THE O.1.1 (1417) OVERLAY DISTRICT.

**SITE PLAN & PERMIT
FOR MOBILE FOOD
VENDOR**

1728 FM 1417 S.
(KASHMIR SINGH &
WALTER THOMAS)

(TABLED)

Walter Thomas, 1605 Creekside Ave., Sherman, Texas

Mr. Thomas appeared to represent the request and answer any questions. He explained he would like to move a mobile food vendor vehicle to 1728 F.M. 1417 South. The vehicle is currently on wheels but he would remove the wheels and set the vehicle on blocks. He would like to place hardy board siding around the vehicle and under pin it to enhance the appearance. His menu will consist of barbecue, fish and hot links. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commissioner Jones commended the owner of the business at 1728 F.M. 1417 South and the former auto storage but he was concerned with the appearance of the trailer.

Commissioner Nix asked Mr. Thomas if it was possible to sell the food out of the store.

Mr. Thomas explained it was two separate businesses and the owner would like to keep his business as a separate entity. He felt the mobile food vendor would bring a lot of people to both businesses.

Commissioner Nix commended Mr. Thomas for hustling and trying to make money but he could not approve his request as it is, he may reconsider if he revised his plan for the mobile food unit. He explained the City has done a lot of work to improve the aesthetics of the Overlay District on F.M. 1417 and he did not feel the mobile food unit adds to that.

Commissioner Davis asked Mr. Thomas if he was familiar with the F.M. 1417 Overlay District requirements.

Mr. Thomas informed the commission he knew they were trying to enhance the community but he was trying to enhance the business and when he finishes with the mobile food vehicle the appearance would look good all the way around.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan and permit for a mobile food vendor.

Letters in opposition of the request were received from:

Otis & Louise Starnes, 2819 Rex Cruse, Sherman, Texas

They wrote "It sounds as though it would be detrimental to his own property as well as mine. Why not sell the food inside his store? Please accept my vote against the proposal."

Walter DeRonde, 1600 Shady Oaks Place, Corinth, TX

Mr. DeRonde wrote "I am a supporter of free enterprise, but I do not understand how this request complies with the intent of the Overlay District. There is vacant retail space in the neighborhood suitable for a restaurant if such a demand exists. I oppose the request."

Chairman Sofey explained based on the information they received and the Overlay District requirements, he felt it would be hard to comply with the ordinance.

Commissioner Jacobs explained he is not opposed to a mobile food vendor but the vehicle does not comply with the ordinance. He did not feel the request would be approved as is. He asked Mr. Thomas to table the request and come back and clarify how the vehicle would be renovated.

Commissioner Atherton explained she visited the site earlier in the day and Mr. Thomas had done a very good job with the interior of the vehicle for a mobile facility to

serve food. She felt there could be a little more thought of how to make the outside of the vehicle more pleasing to the eye as well as the placement of the vehicle. She was not opposed to the mobile food vendor but there needs to be a lot more thought of how it is going to look.

Commissioner Nix explained he would be against the mobile food vendor because of the location and he did not want him to spend a lot of money on the vehicle if it is not going to be approved.

Mr. Thomas agreed to table the request.

ACTION TAKEN.

Motion by Commission Member Jacobs to table the request for the site plan and permit for a mobile food vendor for a period not to exceed six (6) months. Second by Commission Member Softly.

VOTING AYE: SOFEY, PLYLER, JONES, DAVIS, ATHERTON, SOFTLY, NIX AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

SITE PLAN

THE REQUEST OF PROGRESS RAIL SERVICES CORPORATION (OWNER) ARNIE MONTELEONE AND TERESA FLEMING (REPRESENTATIVES) CONCERNING THE PROPERTY LOCATED AT 525 PROGRESS DRIVE, BEING LOT 1, BLOCK 1, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, IN TRACT 3 OF THE BLALOCK INDUSTRIAL PARK, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL TO ORDINANCE NO. 2252 ARTICLE IV SECTION 410 (2) (J) TO EXTEND THE DRIVEWAY FOR A SHIPPING AND RECEIVING CRANE AND A CONCRETE PAD FOR A HOLDING STATION FOR STORAGE IN THE BLALOCK INDUSTRIAL PARK.

SITE PLAN –
DRIVEWAY
EXTENSION & PAD
FOR STORAGE IN
BLALOCK INDUSTRIAL
PARK
525 PROGRESS DR.
(PROGRESS RAIL
SERVICES)

Teresa Fleming, Plant Manager of Progress Rail, 525 Progress Drive, Sherman, Texas

Ms. Fleming appeared to represent the request and answer any questions. She explained Progress Rail would like to extend the driveway for a shipping and receiving crane and a concrete pad for a holding station in order to enhance their business and to improve productivity in shipping. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the site plan subject to the Staff Review Letter. Second by

Commission Member Nix.

VOTING AYE: SOFEY, PLYLER, JONES, DAVIS,
ATHERTON, SOFTLY, NIX AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO
THE INTENT OF THE ORDINANCE.

PRELIMINARY & FINAL PLAT

THE REQUEST OF DAVID E. HOWERTON (OWNER) AND
HELVEY AND ASSOCIATES (SURVEYORS) CONCERNING
THE PROPERTY IN THE 5300-5600 BLOCKS OF DRIPPING
SPRINGS ROAD AND THE 100-200 BLOCKS OF MAYES
DRIVE, BEING 14.112 ACRES IN THE BUFFALO BAYOU,
BRAZOS & COLORADO RAILROAD CO. SURVEY,
ABSTRACT NO. 149, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT OF ROLLING MEADOWS ESTATES,
PHASE I IN THE CITY OF SHERMAN'S EXTRA
TERRITORIAL JURISDICTION.

PRELIMINARY & FINAL

PLAT – ROLLING
MEADOWS ESTATES,
PHASE I

5300-5600 BLK.S
DRIPPING SPRINGS
RD. & 100-200 BLK.
MAYES DR. (ETJ)
(DAVID E.
HOWERTON)

PLANNING AND ZONING COMMISSION

FINAL PLAT OF ROLLING MEADOWS ESTATES, PHASE I
IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL
JURISDICTION.

David Howerton, 1640 W. Woodard, Denison, Texas

Mr. Howerton appeared to represent the request. He
explained the property consists of 14 acres at the corner
of Dripping Springs Road and Mayes Drive in the city of
Sherman's extra territorial jurisdiction. He would like to
plat the property into 12 lots for residential development.
They have seen the Staff Review Letter and would abide
by the Staff Review Recommendations.

Commissioner Jacobs pointed out that Lot 1, Block 2 is
below the 6,000 square foot minimum requirement.

Mr. Howerton explained that occurred because of the road
alignment and he plans to transfer ownership to an
adjacent neighbor.

No other citizens appeared before the Planning and
Zoning Commission to discuss the Preliminary and Final
Plat.

ACTION TAKEN.

Motion by Commission Member Jones to approve the
Preliminary and Final Plat subject to the Staff Review
Letter. Second by Commission Member Davis.

VOTING AYE: SOFEY, PLYLER, JONES, DAVIS,
ATHERTON, SOFTLY, NIX AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN & BUILDING DESIGN

THE REQUEST OF ROBERTO MERAZ (OWNER) CONCERNING THE PROPERTY AT 302 NORTH CLEVELAND STREET, BEING LOT 10, BLOCK 28, COLLEGE PARK ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN AND BUILDING DESIGN APPROVAL FOR A SINGLE FAMILY DWELLING IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND THE COLLEGE PARK OVERLAY DISTRICT.

SITE PLAN &
BUILDING DESIGN IN
COLLEGE PARK
OVERLAY
302 N. CLEVELAND
(ROBERTO MERAZ)

Roberto Meraz, 4012 Sistrunk, Sherman, Texas

Mr. Meraz appeared to represent the request and answer any questions. He explained he would like to construct a single family dwelling at 302 North Cleveland Street; which is in the College Park Overlay District. The exterior will be tan brick with white rock accents with tan trim on the front and right elevations. The rear and left elevations will be concrete fiber board (hardy plank siding) with tan trim. He has constructed the same house at 221 East Brockett Street and 1218 North Brents Avenue.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan and building design.

ACTION TAKEN.

Motion by Commission Member Plyler to approve the site plan and building design for the single family dwelling at 302 North Cleveland Street. Second by Commission Member Nix.

VOTING AYE: SOFEY, PLYLER, JONES, DAVIS, ATHERTON, SOFTLY, NIX AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN & PERMIT FOR MOBILE FOOD VENDOR

THE REQUEST OF B.D. GOLF INC. (OWNER) S. H. SPORTS (TENANT) AND TIM BERRY (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 1902 TEXOMA PARKWAY, BEING 2.28 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL AND PERMIT FOR A MOBILE FOOD VENDOR UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4.1) IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SITE PLAN & PERMIT
FOR MOBILE FOOD
VENDOR
1902 TEXOMA
PARKWAY
(B.D. GOLF, INC. & TIM
BERRY)

Tim Berry, 1406 LaSalle, Sherman, Texas

Mr. Berry appeared to represent the request and answer any questions. He explained he would like to move in a

mobile food trailer on the same lot as Second Hand Sports at 1902 Texoma Parkway. The hours of operation will be Monday thru Saturday from 10 a.m. to 6 p.m.; the same hours as Second Hand Sports. There will be two employees and parking will be provided. His menu will consist of BBQ from the mobile food trailer. He has been in the food industry for a number of years and has an outstanding reputation for keeping the area clean. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commissioner Jacobs asked Mr. Berry if he had operated this facility in Sherman in the past.

Mr. Berry explained he has operated at the Grayson County Fair and as a mobile unit at construction sites; but he wanted to set up at a permanent location. Second Hand Sports offered this location and he felt it would help each other's business; there is a lot of traffic through this location.

Commissioner Davis asked how many mobile food units are on Texoma Parkway from Highway 75 to Highway 82.

Commissioner Jacobs explained there are a number we have approved in the past and he was not sure if there would be any reason not to approve this one unless something had changed other than getting too many of them.

Chairman Sofey asked Mr. Shadden if this mobile food unit complied with all the changes that were made to the Mobile Food Vendor's Ordinance.

Scott Shadden, Director Development Services explained he had met all the requirements.

Commissioner Nix explained he knew he is a nice guy and has known him from the LaMesa Restaurant and that he would run a good ship, but he did not think they needed as many mobile food vendors as they have in Sherman already and he did not approve of them. He did not feel it was fair to deny Mr. Thomas and allow this one; he objected to both of them.

Commissioner Jacobs felt there was a distinction that should be made, one is in the Overlay District and one is not.

Commissioner Nix asked why should they subject Texoma Parkway to it and not subject F.M. 1417.

Commissioner Jacobs explained because FM 1417 is designated as an Overlay District and Texoma Parkway is not.

Commissioner Nix felt if they were ever going to change it they needed to start now.

Commissioner Jacobs felt they should change the rules first.

Chairman Sofey explained they recently changed the ordinance to make it stricter for mobile food vendors to eliminate some of the problems from the past. Once a mobile food vendor is approved it is permanent unless it is abandoned; it no longer is renewed each year.

Mr. Berry explained he did not know there was a limit to the number of mobile food vendors allowed. The trailer is a very nice trailer; it was very expensive.

Commissioner Nix explained once it is approved, it is permanent and he did not know if it was good for the overall benefit of Sherman. "If we have them all over the place; he did not feel that was a good idea. If it is permanent we cannot get rid of it."

Commissioner Jacobs explained if they want to change the criteria he would not have a problem in doing that, but he did not believe they should do it on this particular transaction; we should propose the changes to the City Council to limit the number of mobile food vendors.

Commissioner Davis thought there was a distinction of where they are located; Texoma Parkway is one issue and if it is somewhere different it might be another issue. He thought it clutters up Texoma Parkway, not just this one but if we have them everywhere. He did not think it was a positive movement for that road.

John Arizola, 129 Wall Street, Sherman, Texas

Mr. Arizola explained he is a restaurant owner in Sherman and has known Tim Berry for 20 years, he is a good guy. Mr. Arizola was not against Mr. Berry but he was against mobile food vendors. He had spoken to several of the people in the area, and CVS Pharmacy just spent a lot of money remodeling their building. He felt it was a bad location for a mobile food vendor. He thought Mr. Berry should buy a restaurant; he would make a great restaurant owner. He commended the city for taking care of some of the mobile food vendors on Lamar Street. There were a lot of problems with the vendors.

Chairman Sofey explained he had spoken with several restaurants before and they had difficulties with mobile food vendors because they do not have to comply with the same rules and regulations as a fixed restaurant.

Mr. Berry did not agree because you still have to be inspected by the Health Department which is what most restaurants have a problem complying with, not the city

ordinances.

Chairman Sofey explained cost of starting up a restaurant and the people that do that to compete with someone that doesn't is one of the major concerns.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan and permit for a mobile food vendor.

ACTION TAKEN.

Motion by Commission Member Nix to deny the site plan and permit for a mobile food vendor. Second by Commission Member Jones.

VOTING AYE: NIX, DAVIS, JONES AND SOFEY.

VOTING NAY: ATHERTON, JACOBS, PLYER, AND SOFTLY.
MOTION FAILED

Scott Shadden explained it takes a majority to approve the request.

Chairman Sofey entertained a new motion.

Commissioner Atherton felt the commissioners had voiced a lot of reasons against the mobile food vendor, but she felt the commissioners that were for the request should voice their opinions. "It may help to hear the other side, if we are at an impasse." She knew Tim Berry and had eaten at his restaurant; she knew he would keep a nice place. She did not think it was right to tell him no, when there are others right there; someone, somewhere had told them yes. If the City as a whole wants to have a stronger rule on mobile vendors then she felt that should happen in a different forum. It should happen with the Council passing something; not necessarily here opposing his request.

Chairman Sofey asked Mr. Shadden if they had passed any other mobile food vendors since they had made the changes.

Mr. Shadden explained yes, Fine Barbecue.

Commissioner Plyler explained based on location of Texoma Parkway and with the concerns of the aesthetics issue, he took into account who they were dealing with; an experienced person with food management. He believed the area would be kept clean. He did not see denying this request. If they could look at them case by case maybe they can factor in experience, professionalism and those sorts of things. He did not see a real problem with this request; but the last one was in the Overlay District, this request is on Texoma Parkway and a different story.

Commissioner Jacobs felt it was more procedural than the application. He did not think denying this is the way to

change policy; it should be a more formal process. He felt the same way Commissioner Atherton felt, to deny him when others had been approved with no difference in the criteria seems unfair.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the site plan and permit for a mobile food vendor subject to the Staff Review Letter. Second by Commission Member Softly.

During the vote, Mr. Berry volunteered to place a time period on the request for twelve months.

ACTION TAKEN.

Motion was amended by Commission Member Jacobs to approve the site plan and permit for a mobile food vendor for a period of twelve months and subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, JACOBS, PLYLER, ATHERTON AND SOFEY.

VOTING NAY: DAVIS, JONES AND NIX

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

VARIANCE & EXCEPTION

THE REQUEST OF PAUL ANDREW HUGGINS (OWNER) AND TEAGUE, NALL AND PERKINS (ENGINEERS) CONCERNING THE PROPERTY LOCATED AT 1002 SOUTH TRAVIS STREET, BEING ALL OF LOTS 18, 19 AND 20 OF M.B. MOORE'S ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

- A) VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A ZERO (0) FOOT FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25 FOOT FOR A 6 FOOT MASONRY FENCE IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
- B) EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3. SUBSECTION (7) TO ALLOW A MASONRY FENCE WITH WROUGHT IRON CORNERS IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL SURROUNDING THE DEVELOPMENT IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FRONT
SETBACK
EXCEPTION –
WROUGHT IRON
FENCE
1002 S. TRAVIS
(PAUL ANDREW
HUGGINS)

(DENIED)

Kris Calvert, CMA Architecture, 200 Bailey Ave., Ste. 310,
Ft. Worth, Texas

Mr. Calvert appeared to represent the request and answer any questions. He explained the owners would like to construct an apartment complex on the lot at 1002 South Travis Street. A six foot parameter masonry fence is required. The objective is to increase the area on the street frontage on the interior for landscaping and to enhance the look and feel of the overall development instead of a compound look. They requested a variance to

place the fence on the property line and incorporate wrought iron corners for visibility along Travis Street. The ordinance allows the fence on the property line on the side and rear property lines.

Commissioner Jacobs asked Mr. Calvert if any studies had been done limiting traffic pulling out of the alleyways.

Mr. Calvert explained they had stepped back the corners to allow for increased visibility at the intersections while allowing the fence to come up to the property line.

Commissioner Jacobs explained he had a problem with the fence because they have the requirement that the fence be low enough at corners of intersections for visibility. "I'm sure it will look very nice but a six foot masonry wall even if there is wrought iron in the corners for 26 feet, people trying to look through the wrought iron to see if there is a car coming sounds like we may be creating a problem." Studies had not been done to determine that an issue.

Mr. Calvert explained they had not done any traffic studies.

Commissioner Jacobs asked Mr. Shadden if any other six foot masonry fence had been allowed on the property line.

Mr. Shadden explained there was one on South First Street, the land between the railroad and South First Street, the apartment complex but they have not built anything yet and it was not near an intersection.

Commissioner Davis asked if an alternative had been considered if the variance and exception were not granted.

Mr. Calvert explained they would bring an alternate site plan that would bring the masonry fence back 25 foot from the property line.

Chairman Sofey asked, what that would affect, why this request opposed to the other site plan.

Mr. Calvert explained the main driver was the landscaping on the Travis side which would allow for a larger landscaping zone and the ability to maintain that landscaping being a little bit better on the inside of the fence as opposed to the outside. He explained they would be in favor of lowering the wall on the front side but that would require another variance request.

Commissioner Davis asked if they moved the fence back to the 25 foot marker would they move the whole building back.

Mr. Calvert explained the other buildings would be shifted some and some altering to the parking layout, but the number of parking spaces would be maintained.

Commissioner Jones asked if the building would have masonry all the way around.

Mr. Calvert explained masonry all the way around is what they are looking at first, in designing but it is still in development, it would probably not be up to the top of the building, there would most likely be a combination of masonry around the building with siding to match the character of the neighborhood.

Judge Jim Fallon, 1204 S. Crockett, Sherman, Texas

Judge Fallon explained he envisions this as a wall all the way up the street. Right behind this property there is a house that has a pool in the backyard with a wall and if the wall were any closer to the alleyway you could not see around it; he envisioned this wall to be closer than that. He was against any more apartments in the area, but he understood the zoning is in place for multi-family. The six foot fence will be right next to the sidewalk, if there are cars parked in the street its hard enough to see the traffic and the cars are not six feet tall. He was against the zero foot setback, the setbacks are there for a reason. He felt it was too extreme for a variance to go all the way out to the street with a six foot wall.

Tony Stephens, 929 S. Crockett, Sherman, Texas

Mr. Stephens explained his property is behind the proposed apartments. He sees kids going to school everyday and the traffic that goes down Spring Street and then turns onto Travis. He did not have a recommendation of what the setback should be, but he would like the commission to take into account the safety issue at the corner of Spring and Travis Street so that the people driving their cars can see up and down Travis Street and the kids have a place to walk on Spring Street.

Hunt Tooley, 1202 S. Travis, Sherman, Texas

Ms. Tooley was worried about the traffic involved and the safety issues, but she was also concerned with the look of the neighborhood. "If you look down Travis Street everything else is set back, there are old homes set back off the road, this thing jetting forward to the road makes it look like not just multi-family but really kind of commercial." There is already a problem in the neighborhood with apartments. In terms of keeping up the neighborhood, this huge building jetting out is something that in the neighborhood and everyone she has spoken with wants to avoid.

Bill Horne, 1001 S. Crockett, Sherman, Texas

Mr. Horne explained he lives directly behind the proposed apartments. "If they put the brick wall up, and it borders

the alley, it would become a big tunnel through there with the neighbor's six foot brick wall. At the four way stop signs, it is hard to see two different directions at both ends of the alleyway where the apartments are going to be and where the wall will be. It will become a safety issue; it is kind of a blind spot to people as it is now. We have been through this before and it not really good for Sherman. You are familiar with Old Town; you have seen all the data that they have on it and how much it cost police and all the resources they have used in the past; we are heading right back down that road again. Given the type of neighborhood we live in, it is not on the up and coming, it is sliding down hill." To reintroduce this into the neighborhood he did not think it was for the good of Sherman.

Kim Perry, 910 S. Crockett, Sherman, Texas

Ms. Perry explained she opposes the variance for the setback for the fence. She opposes the apartments also but she understood the zoning is in place. She moved here about five years ago and she has been working hard to preserve the history in Sherman. It was her understanding that Travis Street is not in the Historic District which surprised her but she was told the 300-1300 Blocks of South Crockett Street were, to her it should be the whole square, it has the older homes with the clap board siding. It looks like they just want to stick a big ole masonry wall which she understood could be just about anything in the middle of it. There are a lot of families, teenagers, young adults with their dogs walking every night up and down the street and you will not get the same feel of the old neighborhood with an apartment complex going in there. She explained the owner does not live here so he does not see what we see. There are a lot of rental properties in the area with a lot of crime, she did not see where this would help them any. They had met with the architect the other night to get young professionals to come to this apartment complex; she did not see that happening. She felt if they had to move the fence back they would have less parking and units, she felt when they get people in there they will find they do not have enough parking to begin with which will overflow onto the side streets which will cause more trouble with visibility, crime and noise.

Karen Tooley, 1202 S. Travis, Sherman, Texas

Ms. Tooley explained with a wall that close to the street it is just asking for giraffe and there are people in their neighborhood to do it, so she would like the commission to stick with the requirements. They have 54 parking spaces and 54 bedrooms and if they had to move the wall back she hoped they would have to shrink everything in size and that would help with all the things the rest of us are worried about.

Ralph Renshaw, 1205 S. Crockett, Sherman, Texas

Mr. Renshaw explained he is concerned with safety. Right now every apartment that is on Travis parks along Travis which narrows the view. There is a new school going up on Travis Street, and the capacity has increased. There is drag racing at night on Crockett and Travis Streets and if you are going to confine the space by allowing more cars to park along Travis it will restrict the view. We have built up an enormous amount of kids in this area along Travis and Crockett and Elm and a lot of the kids are walking to school; he did not think it was a good idea to have a zero foot setback, but he did not know if the 25 foot setback would give proper visibility depending on the type of vegetation and landscaping they are proposing to do.

Ivert Mayhugh, 1119 S. Crockett, Sherman, Texas

Mr. Mayhugh explained he reflects the feelings everyone had spoken. He thought the problem they would run into was they are putting too many people and too many cars into too small of a space. "We are an old neighborhood and the cross streets carry a tremendous amount of traffic. Everyone of the intersections carries a four way stop sign going up and down the alley that goes north and south, the city does not do a good job of keeping it cleared away, it really is not more than a one lanner if you meet someone, you will have to pull off into the grass and let them pass. To have so many apartments with so many cars, most people have more than one car; we are just adding fuel to the fire. Why do we have to have a concrete retaining wall in front of this complex, why couldn't we have a wrought iron fence where kids couldn't get through it but you have visibility, it would give it depth, you could see landscaping inside as well as outside."

Carmon Martin, 1228 S. Crockett, Sherman, Texas

Ms. Martin invited all of the commissioners if they have not been to Crockett Street and Travis to go see some of the beautiful homes and to stick this wall between two big houses. "We have had in the last five years several young couples who have moved to Crockett and Travis and they are restoring these beautiful homes and to have this big wall is just an insult." The wall that is going to be put up, their concern is for the children because there are a lot of children in the neighborhood. "So if you have not been down Crockett to see the beautiful homes you need to do that."

Chairman Sofey asked how long the lot had been vacant.

Mr. Shadden explained probably close to nine years since the Caprice Apartments burned.

Chairman Sofey asked what type of rent they are looking at for the apartments.

Mr. Calvert explained they are market rate, but he did not have exact rental rate figures for him. They are not low

income and they are not Section 8, they are market rate apartments.

Commissioner Jacobs explained the economics of it is not an issue and he did not think the level of rent should be the criteria that they employ personally. We have a request before us for a variance and an exception.

Chairman Sofey explained he was trying to appease some the concerns some of the people had. There are a lot of issues to appease the neighbors by moving the fence line and the materials.

Mr. Calvert explained they are not crazy about the masonry fence as well, but it is a requirement so they are trying to meet the requirements.

No other citizens appeared before the Planning and Zoning Commission to discuss the variance and exception.

Letters were received from:

Daniel Dominick, 1018 S. Walnut, Sherman, Texas

Mr. Dominick was opposed to the request. He believed the neighborhood deserved to maintain its historic nature and feel, and a fence built directly on the lot line and just a few feet from the sidewalk does not fit the historic profile. He was concerned with the safety of pedestrians and car traffic on Travis Street and the side streets Lark and Spring. "With the density new apartments will bring in close proximity to Washington Elementary, children walking to school and families driving their children to school will necessarily have to deal with apartment traffic in the mornings and afternoons. The site plan includes enough parking for residents of the apartments but no provisions for overflow (visitors, parties, etc.). I am concerned that these apartments will shortly move from the promised upscale to lower and lower rent as the owners sell and resell the apartments."

Todd Penner and Jacqueline Klassen, 918 S. Travis, Sherman, Texas

Mr. Penner and Ms. Klassen live on the corner of Travis and Spring Street which is directly across from the proposed apartment complex. They wrote "the existing apartments across the street create parking issues on the weekend, and I'm sure this new complex will add to the problem. Two cars cannot pass each other on Spring Street, because it is too narrow like an alley way. A walled compound will complicate already difficult safety issues (especially if there is an exit/entrance from the complex onto Spring). We chose to live in a place where we could make something better and therefore don't expect immediate revitalization. But this apartment building will be a permanent part of the neighborhood and we need to do as much as we can to help shape it to something more

suitable for the neighborhood before it is built.”

ACTION TAKEN.

Motion by Commission Member Jacobs to deny the variance and exception. Second by Commission Member Nix.

VOTING AYE: SOFTLY, DAVIS, JONES, NIX, AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

SITE PLAN

THE REQUEST OF PAUL ANDREW HUGGINS (OWNER) AND TEAGUE, NALL AND PERKINS (ENGINEERS) CONCERNING THE PROPERTY LOCATED AT 1002 SOUTH TRAVIS STREET, BEING ALL OF LOTS 18, 19 AND 20 OF M.B. MOORE’S ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR TRAVIS STREET APARTMENTS

SITE PLAN – TRAVIS STREET APARTMENTS 1002 S. TRAVIS (PAUL ANDREW HUGGINS)

(WITHDREW)

Kris Calvert withdrew the request.

SITE PLAN

THE REQUEST OF SAIQA CHAUDHRY (OWNER), DAVID HUFFMAN (CONTRACTOR) AND SARTIN AND ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY AT 2511 NORTH TRAVIS STREET, BEING 2.52 ACRES IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CONVENIENCE STORE WITH GRILL AND DRIVE THRU.

SITE PLAN – CONVENIENCE STORE 2511 N. TRAVIS (SAIQA CHAUDHRY)

(TABLED)

David Huffman, 210 Kiowa Dr., Gainesville, Texas and Saiqa Chaudhry, 1047 Patricia, Sherman, Texas

Mr. Huffman and Ms. Chaudhry appeared to represent the request and answer any questions. Ms. Chaudhry explained they would like to construct a convenience store with grill and drive thru at 2511 North Travis Street. They have seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Chairman Sofey explained by looking at the site plan the driveways did not look proportionate to the site plan. The two drives are not in the location that is shown on the site plan.

Mr. Huffman explained the driveways are existing and are allowed as long as they are not moved.

Commissioner Jacobs asked Mr. Shadden if any variances or exceptions were needed for this request.

Mr. Shadden explained it is difficult to tell from the site plan that was submitted. Eight stacking spaces are needed for the drive thru window and they are not shown on the site plan.

Chairman Sofey asked Mr. Huffman if he had scaled the property off to see if they have the stacking requirements.

Mr. Huffman explained they have a parking lot in the front of the building and the drive thru will go all the way around the back of the building and come thru the drive thru from the back side.

Commissioner Jones explained staff is informing the commission the site plan is not adequate for the needs to approve the site plan.

Scott Shadden explained the eight stacking spaces are not drawn in the site plan, the concrete driveway that is shown does not line up with parking spaces that are provided, the drive approaches do not line up with what is out there. He recommended they hire a surveyor or a professional draftsman to draw a better site plan.

Commissioner Jones asked Mr. Huffman to get with staff and come back with a better site plan.

Mr. Huffman informed the commission they would provide a better site plan.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

ACTION TAKEN.

Motion by Commission Member Nix to table the request.
Second by Commission Member Jacobs.

VOTING AYE: SOFTLY, DAVIS, JONES, ATHERTON, NIX,
PLYLER, SOFEY, AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE REQUEST WAS TABLED.

COLLEGE PARK OVERLAY DISTRICT

CONSIDER RECOMMENDATION OF THE DUPLEX REVIEW COMMITTEE TO AMEND CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED GENERAL ZONING ORDINANCE AT SECTION 6.8.3, TO AMEND THE PERMITTED AND SPECIFIC USES IN THE COLLEGE PARK OVERLAY DISTRICT.

CONSIDER RECOMMENDATION OF THE DUPLEX REVIEW COMMITTEE TO AMEND CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED GENERAL ZONING ORDINANCE AT SECTION 6.2, TO AMEND THE PERMITTED USES IN THE R-1 (ONE AND TWO FAMILY

RECOMMENDATION
FOR COLLEGE PARK
OVERLAY DISTRICT
AMENDMENT, R-1
DISTRICT
AMENDMENT, AND
FOR SPECIFIC USE
PERMIT LIST
AMENDMENT

RESIDENTIAL) DISTRICT.

CONSIDER RECOMMENDATION OF THE DUPLEX REVIEW COMMITTEE TO AMEND CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED GENERAL ZONING ORDINANCE AT SECTION 8 (5)(A) TO AMEND THE SPECIFIC USE PERMIT LIST.

Scott Shadden explained the Duplex Review Committee met on November 6, 2007 to review the effects of duplex housing on residential neighborhoods. The Committee members included; Jason Sofey, Steve Jones and John Nix. The committee recommends requiring a Specific Use Permit for two family dwellings and duplexes in R-1 (One and Two Family Residential) Districts. The only place duplexes would be automatic would be in the R-2 (Multi-Family Residential) District throughout the city.

No other citizens appeared before the Planning and Zoning Commission to discuss the College Park Overlay District amendment, the R-1 District amendment, or the Specific Use Permit list.

ACTION TAKEN.

Motion by Commission Member Nix to recommend to the City Council to amend the permitted uses and Specific Uses in the College Park Overlay District, the R-1 District amendment and the Specific Use Permit list. Second by Commission Member Davis.

VOTING AYE: SOFTLY, DAVIS, JONES, ATHERTON, NIX, PLYLER, SOFEY, AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

OTHER BUSINESS

No other business came before the Commission.

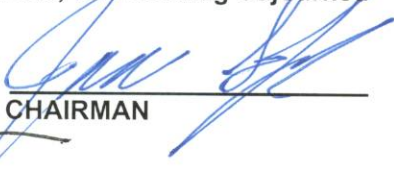
OTHER BUSINESS

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:32 p.m.

ADJOURNMENT


SECRETARY


CHAIRMAN

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1713 Pebblebrook Lane
Being Lot 1, Block 6, Pebblebrook, Phase III Addition,
Variances

Requested Action/Proposed Use:

- a) Variance under Ordinance No. 2280, Section 7, Subsection (13)(h)(1) to allow an 8 foot privacy fence in the side yard in lieu of a 6 foot fence in an R-1 (One and Two Family Residential) District.
- b) Variance under Ordinance No. 2280, Section 7, Subsection (13)(h)(3) to allow a 5 foot side yard setback on a corner lot in lieu of the required 25 foot for an 8 foot privacy fence in an R-1 (One and Two Family Residential) District.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

John Hendricks (Owner)

Master Plan Designation:

Residential

Number of notices mailed:

31

Objections Received:

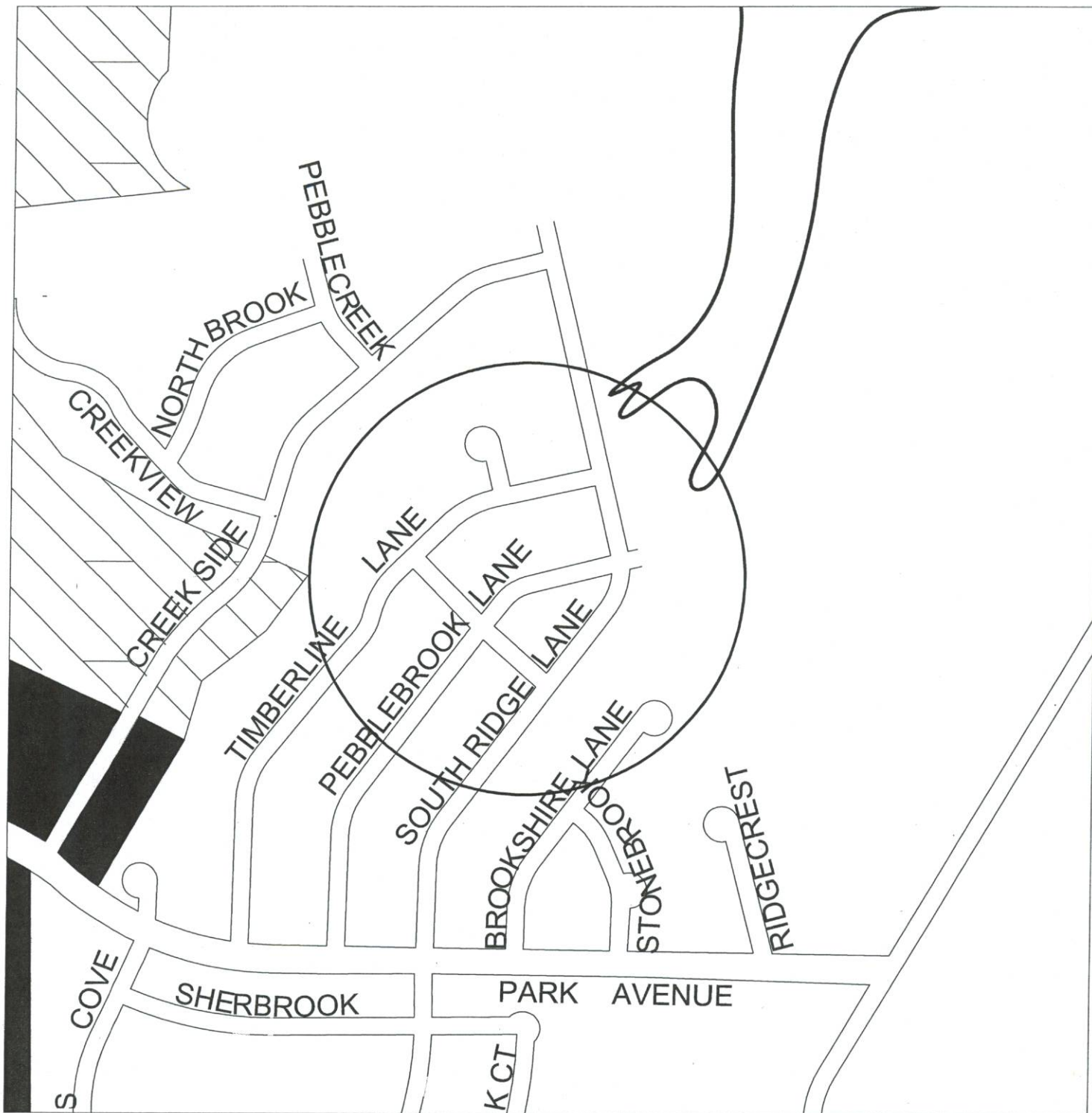
0

Attachments:

Location map
Photographs
Site Plan

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.1 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-O OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



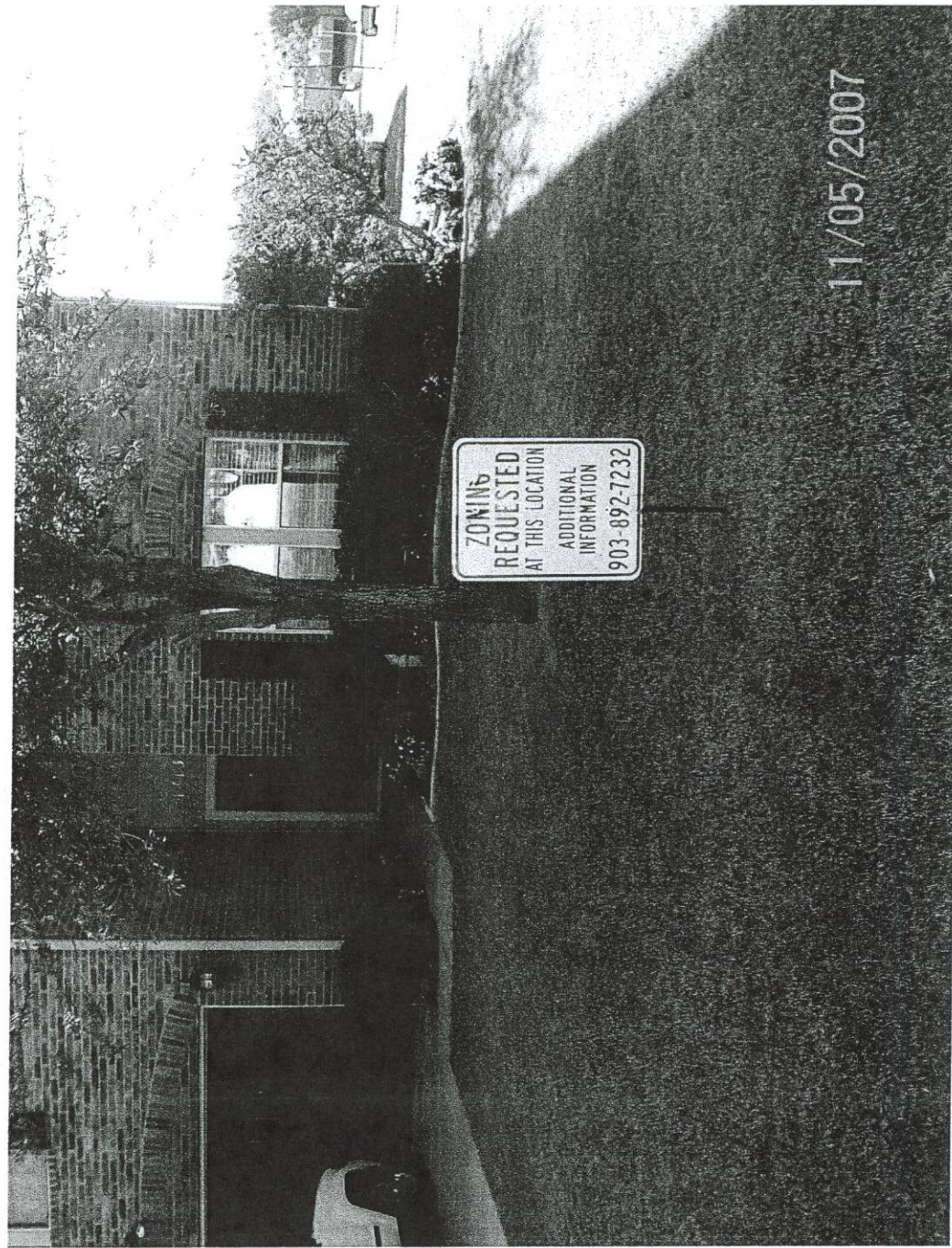
1713 PEBBLEBROOK VARIANCE

Department of Developmental Services





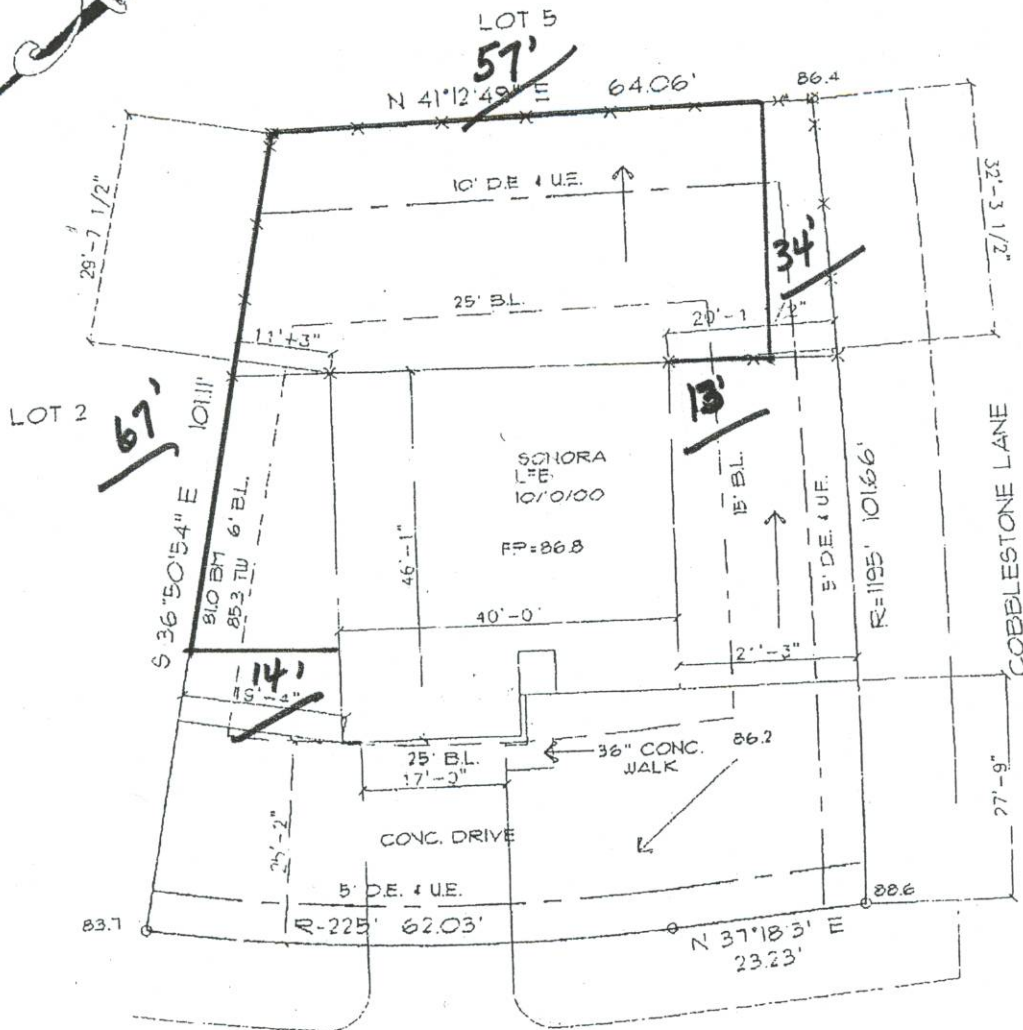
1713 Pebblebrook Ln.



ATTN

403

327-8200



1129 SQ. FT.

1713 PEBBLEBROOK LANE

LOT 1 BLK. "6"
PEBBLEBROOK, PHASE III
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

SHEET

SITE PLAN

SCALE: 1" = 20'-0" 9/26/01

HENDRICKS

RYLAND
HOMES

AUSTIN SAN ANTONIO DALLAS HOUSTON

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1728 F.M. 1417 South (Heritage Parkway South)
being 10 acres in the Elizabeth Jones Survey, Abstract No. 625
Site Plan & Permit for Mobile Food Vendor

Requested Action/Proposed Use:

Site Plan Approval and Permit for a Mobile Food Vendor under Ordinance No. 2280, Section 8, Subsection (4.1) in a C-2 (General Commercial) District, R-1 (One and Two Family Residential) District, and the O.1.1 Overlay (1417) District.

Background

The applicant would like to move in a mobile food vehicle on the south side of the convenience store/gas station at 1728 F.M. 1417 South (Heritage Parkway South). The hours of operation will be the same as the business. There will be one employee and parking will be provided. The applicant explained he would pull engine from vehicle and place under pinning on the bottom of the vehicle.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and C-1 (Retail Business) District

Origination:

Kashmir Singh (Owner) and Walter Thomas (Tenant)

Considerations:

Master Plan Designation: Retail/Commercial

Number of notices mailed:

6

Objections Received:

2

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT
	C-1 RETAIL BUSINESS DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	CO OFFICE DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT

	M-2 HEAVY MANUFACTURING DISTRICT
	M H MANUFACTURED HOUSING DISTRICT
	BLALOCK INDUSTRIAL PARK
	O-1 OVERLAY DISTRICT - 75 & 82
	O-1.1 OVERLAY DISTRICT - 1417
	O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CPO COLLEGE PARK OVERLAY
	A&C ARTS & CULTURAL OVERLAY DISTRICT
	CBD CENTRAL BUSINESS DISTRICT



1728 FM 1417 SOUTH SITE PLAN

Department of Developmental Services



FM 1417 S

PARK

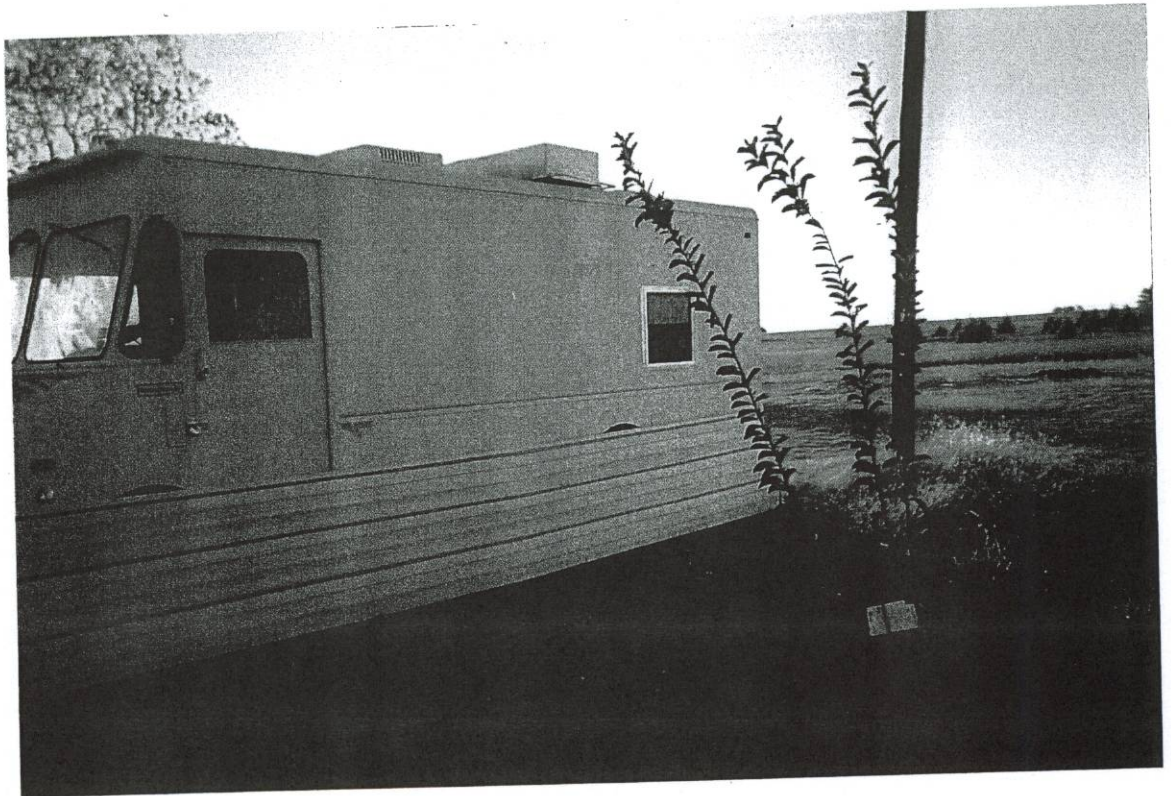
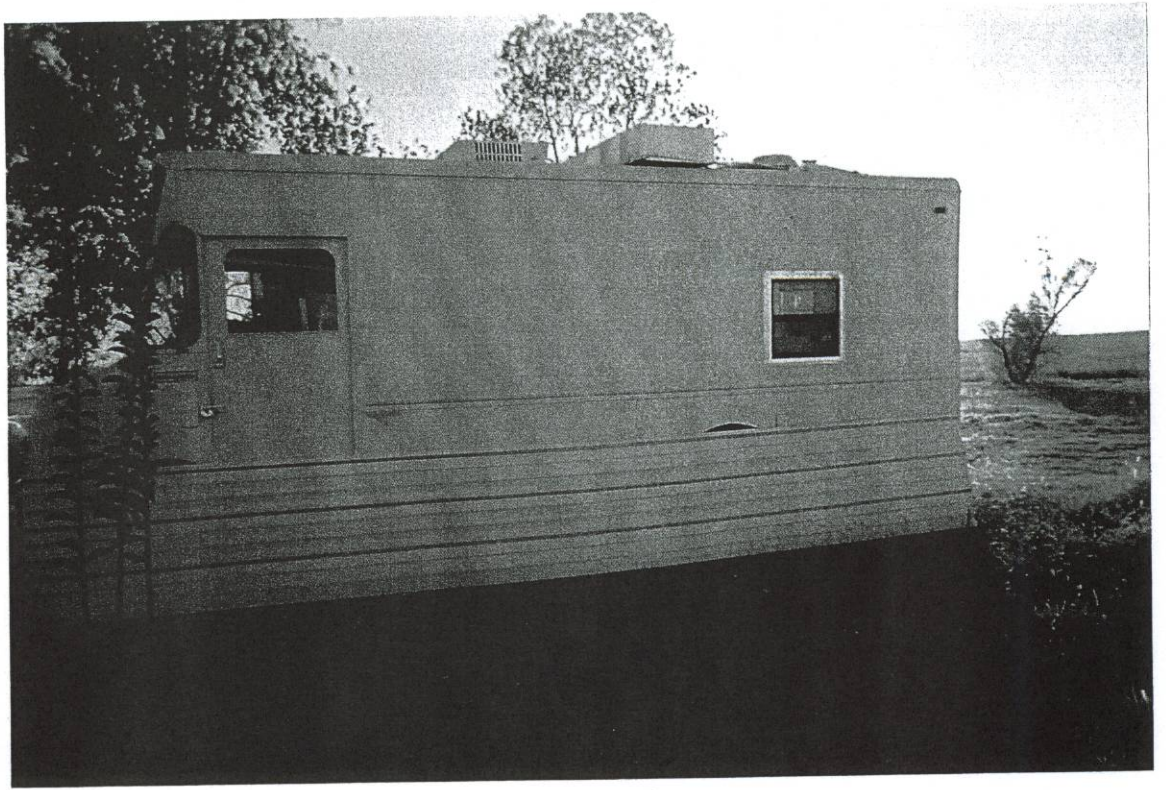
Scale: 1 inch = 400.0 feet

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1728 F.M. 1417 S.





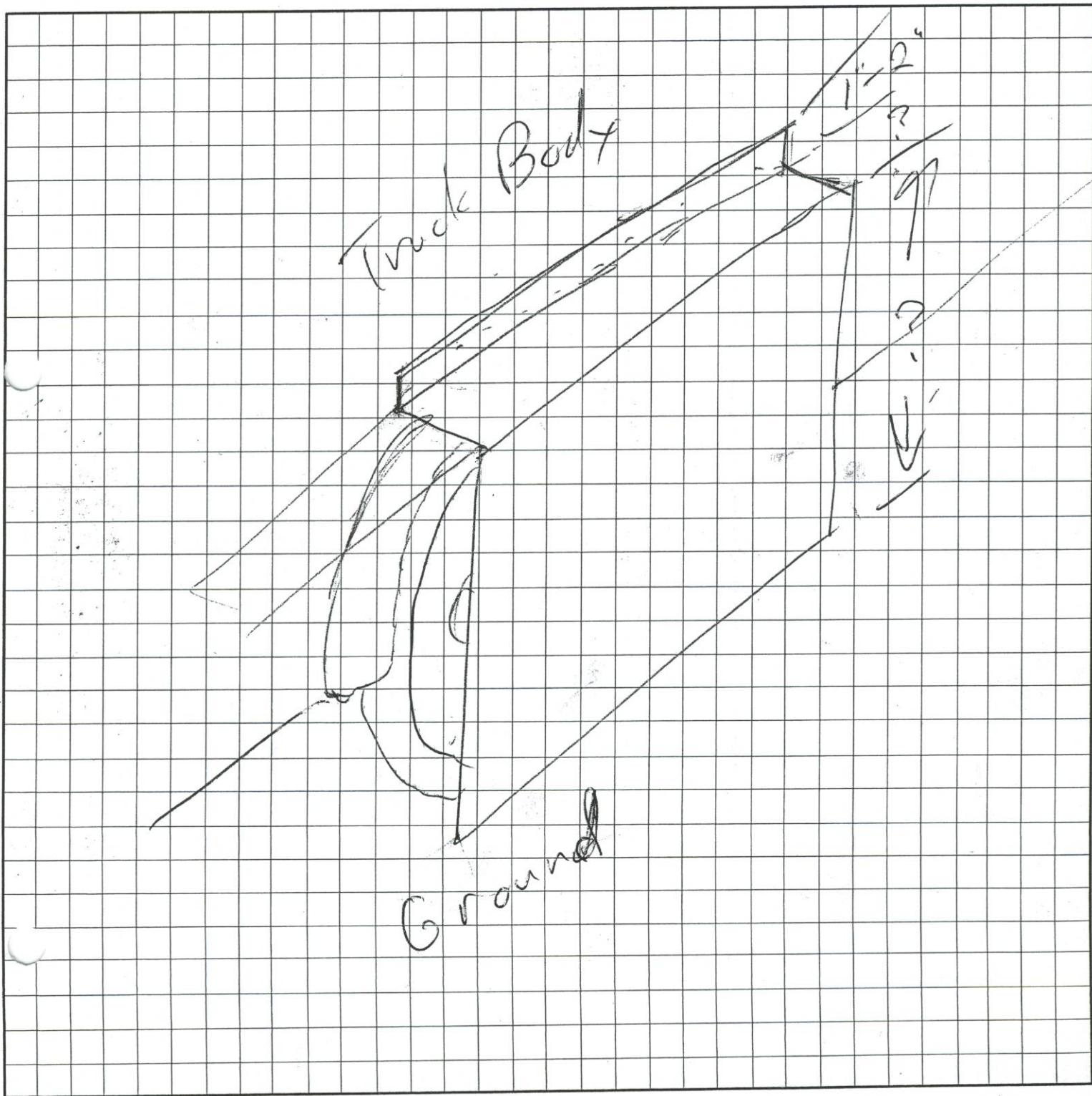
- ☐ BID ONLY
- ☐ WORK ORDER - BID
- ☐ WORK ORDER - T&M
- ☐ WORK ORDER - EXTRA

JOB _____
 ADDRESS _____
 DATE _____
 DATE NEEDED _____

CUSTOMER _____
 REPRESENTATIVE _____
 PHONE _____
 CELL _____

ADANA SHEET METAL
 4601-A HWY 56 WEST SHERMAN, TEXAS 75092
 903-868-1413

	MEASURE	FAB	INSTALL
JOB			
TIME			
INSTALL			



- ☐ BID ONLY
☐ WORK ORDER - BID
☐ WORK ORDER - T&M
☐ WORK ORDER - EXTRA

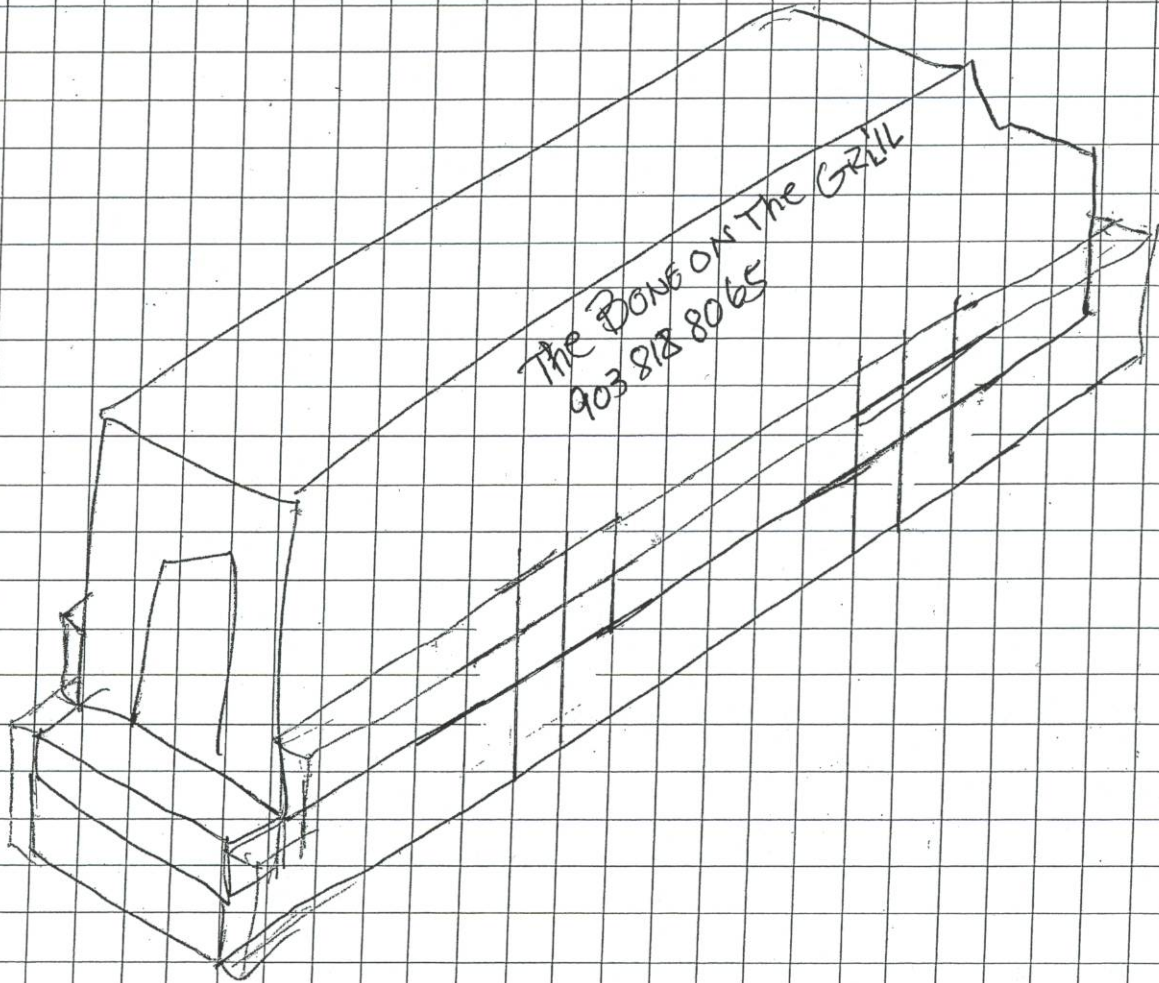
JOB _____
ADDRESS _____
DATE _____
DATE NEEDED _____

CUSTOMER _____
REPRESENTATIVE _____
PHONE _____
CELL _____

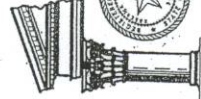
ADANA SHEET METAL

4601-A HWY 56 WEST SHERMAN, TEXAS 75092
903-868-1413

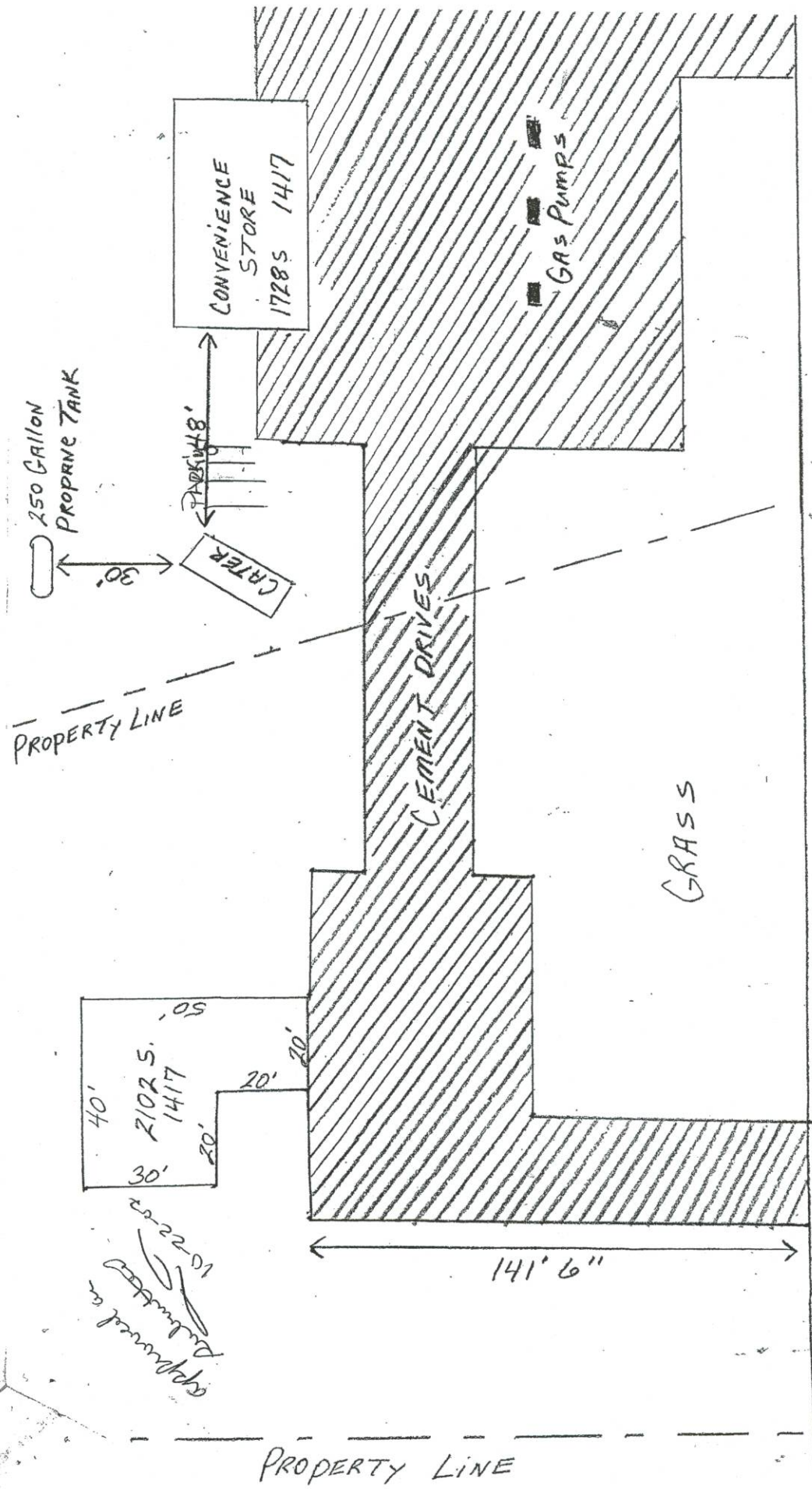
	MEASURE	FAB	INSTALL
JOB			
TIME			
INSTALL			



A COMMERCIAL FISCAL
0722 PM 1077. 107 NORTH
S0050 HP COMMERCIAL SITE PLANNING 4:50 PM



TATCIO AND ASSOCIATES ARCHITECT



40'
2102 S.
1417
30'
20'
20'
20'

Approved and
Submitted
10-22-20

PROPERTY LINE

**STAFF REVIEW LETTER**

November 15, 2007

Kashmir Singh
1728 F.M. 1417 South
Sherman, Texas 75092

Walter Thomas
1605 Creekside Ave.
Sherman, Texas 75092

Dear Applicant,

The request for approval of a site plan and permit for a mobile food vendor concerning the property located at 1728 FM 1417 South, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. The vending unit parking area and service drive must be concrete.
2. All aspects of the O-1.1 Overlay (1417) District shall be followed.
3. An exception will be required if the wall finishes are not masonry, masonry veneer, or concrete siding.
4. Compliance with all requirements of the Mobile Food Vendors Permit Ordinance is required. The proposed catering vehicle does not comply with the Overlay District or the Mobile Food Vendor Ordinance.
5. Only the front 450 feet of this property is zoned C-2 (General Commercial) District. Any commercial use is limited to this area.
6. This tract has a master planned thoroughfare street proposed to cross the western portion of the property at some time in the future. The owner should take this into consideration in planning the development of the remaining portion of his property.
7. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,


Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

SHERMAN



**PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT**

Telephone No. (903) 892-7229

FAX No. (903) 892-7274

November 5, 2007
Odis & Louise Starnes Living Trust
2819 Rex Cruse
Sherman, TX 75092-2407

NOV 13 REC'D

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, November 20, 2007 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Kashmir Singh (Owner) and Walter Thomas (Tenant) concerning the property located at 1728 F.M. 1417 South (Heritage Parkway), being 10 acres in the Elizabeth Jones Survey, Abstract No. 625

The request is as follows:

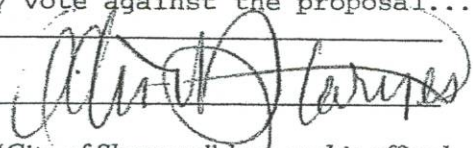
Site Plan Approval and Permit for a Mobile Food Vendor under Ordinance No. 2280, Section 8, Subsection (4.1) in a C-2 (General Commercial) District, R-1 (One and Two Family Residential) District, and the O.1.1 Overlay (1417) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

As a orioerty iwner adjoining this property, I object to the mobile food vehicle being parked, and used for food sales there. It sounds as though it would be detrimental to his own property as well as mine. Why not sell the food inside his store? Please accept my vote against the proposal...



Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

SHERMAN**PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT**

Telephone No. (903) 892-7229

FAX No. (903) 892-7274

November 5, 2007

Walter DeRonde
1600 Shady Oaks Place
Corinth, TX 76205

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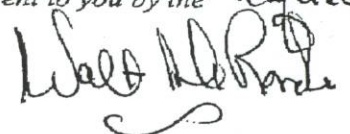
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Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

I am a supporter of free enterprise but do not understand how this request complies with the intent of the "overlay district". There is vacant retail space in the neighborhood suitable for a restaurant if such a demand exists? Mobile food vendor does not comply with the spirit or intent of the "overlay district". I must oppose this request.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.



City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

525 Progress Drive
Being Lot 1, Block 1, Sherman Industrial Development Addition
in Tract 3 of the Blalock Industrial Park
Site Plan

Requested Action/Proposed Use:

Site plan approval to Ordinance No. 2252 Article IV Section 410 (2) (j) to extend the driveway for a shipping and receiving crane and a concrete pad for a holding station for storage in the Blalock Industrial Park.

Adjacent Zoning:

Blalock Industrial Park and M-1 (Light Manufacturing) District

Origination:

Progress Rail Services Corporation (Owner) Arnie Monteleone and Teresa Fleming (Representatives)

Master Plan Designation:

Industrial

Number of notices mailed:

32

Objections Received:

0

Attachments:

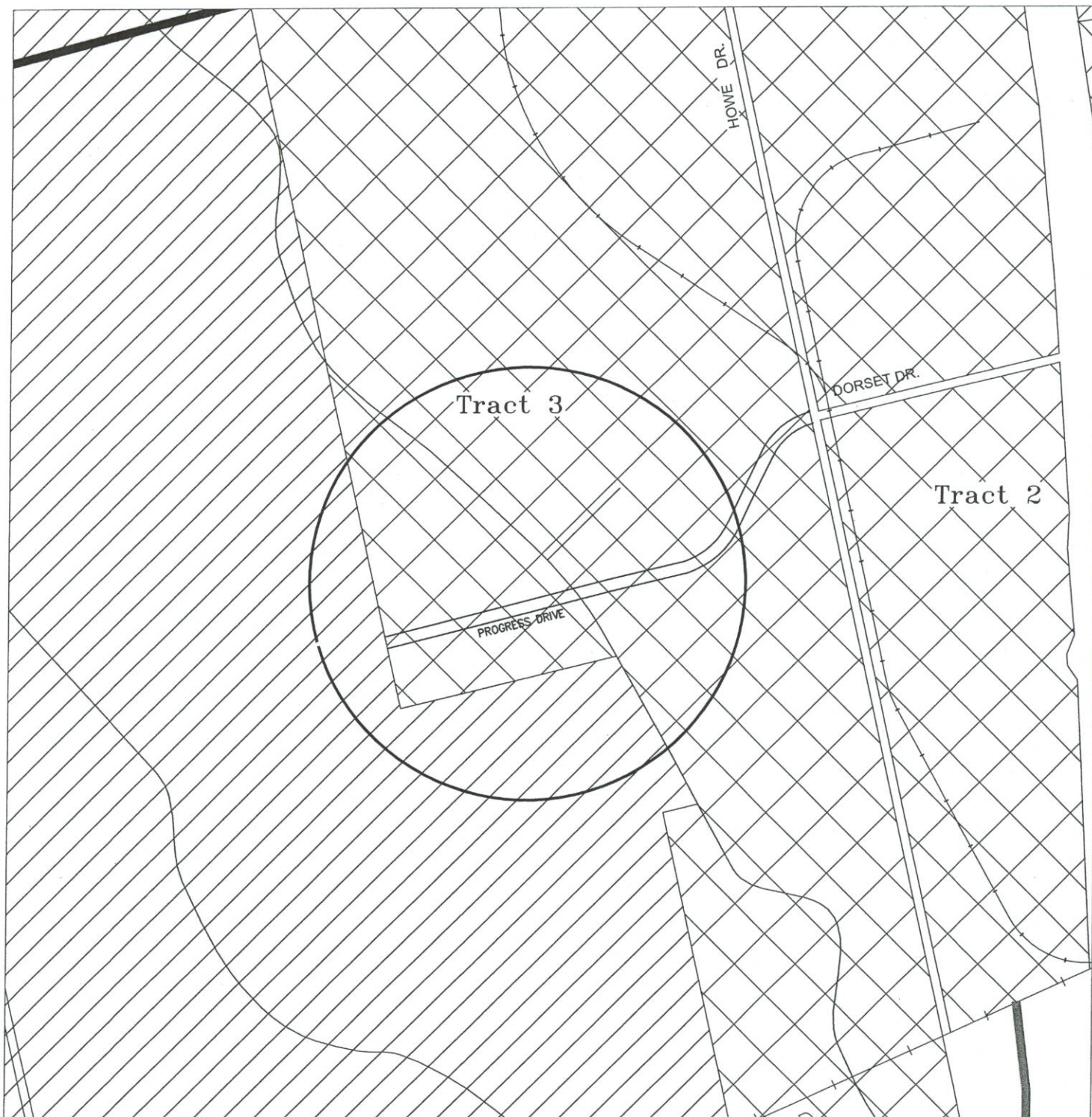
Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:

Patsy Reeves
Development Services Secretary

Approved By:

Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



525 PROGRESS DRIVE SITE PLAN

Department of Developmental Services





Average Scale: 1 inch = 419.6 feet

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525 Progress Dr.



**STAFF REVIEW LETTER**

November 15, 2007

Progress Rail Services Corporation
P.O. Box 1037
Albertville, Alabama 35950

Progress Rail Services
Attn: Arnie Monteleone
525 W. Progress Drive
Sherman, Texas 75092

Progress Rail Services
Teresa Fleming
525 W. Progress Drive
Sherman, Texas 75092

Dear Applicant,

The request for approval of a site plan concerning the property located at 525 Progress Drive, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Compliance with all requirements of the Blalock Industrial Park District Ordinance is required.
2. The 4" sewer service line is privately owned and maintained.
3. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully, 

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer



REV. NO.	WAD
Drawn By	NG
Checked By	XJS
Approved By	
Date	03/06/01
Scale	1:1

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

5300-5600 Blocks of Dripping Springs Road and 100-200 Blocks of Mayes Road
14.112 Acres in the Buffalo Bayou,
Brazos & Colorado Railroad Co. Survey, Abstract No. 149
Preliminary Plat

Requested Action/Proposed Use:

Preliminary Plat of Rolling Meadows Estates, Phase 1, an addition in the extra territorial jurisdiction of the City of Sherman

Adjacent Zoning:

NA

Origination:

David E. Howerton and Kelly L. Howerton (Owners) and Helvey & Associates Surveying, Inc. (Surveyor)

Considerations:

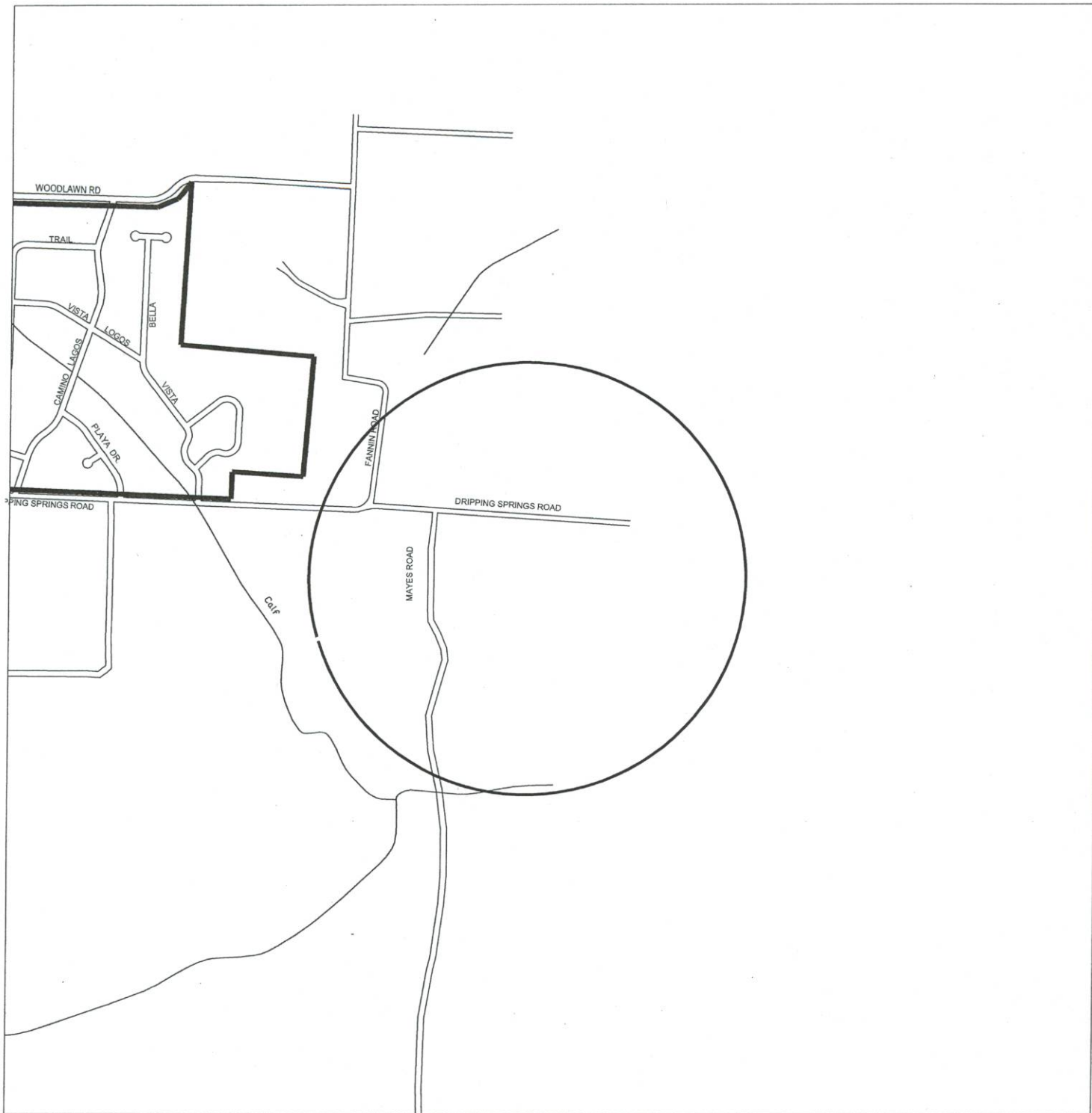
Master Plan Designation: Residential

Attachments:

Location map
Photographs
Preliminary Plat
Staff Review Letter

Prepared By:
Rita Gaither
Development Coordinator

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLA BLACK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



**5300-5600 BLK DRIPPING SPRINGS
100-200 BLK MAYES RD
PRELIMINARY PLAT**

Department of Developmental Services





Dripping Springs Road

Mayes Road

Scale: 1 inch = 250.0 feet

November 13, 2007

David E. Howerton
Kelly L. Howerton
1640 W. Woodard St.
Denison, TX 75020

Dear Applicant,

The request for approval of a Preliminary Plat of Rolling Meadows Estates, Phase One (an addition in the extra territorial jurisdiction of the City of Sherman) concerning the property located in the 5300-5600 Blocks of Drippings Springs Road and the 100-200 Blocks of Mayes Road has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Wording on the plat shall provide that the lots are to be served by individual on-site sewage facility and are to be installed according to State of Texas and Grayson County guidelines.
2. The proper water provider (Starr Water) serving the lots shall be shown on the plat.
3. Any other changes made to the preliminary plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

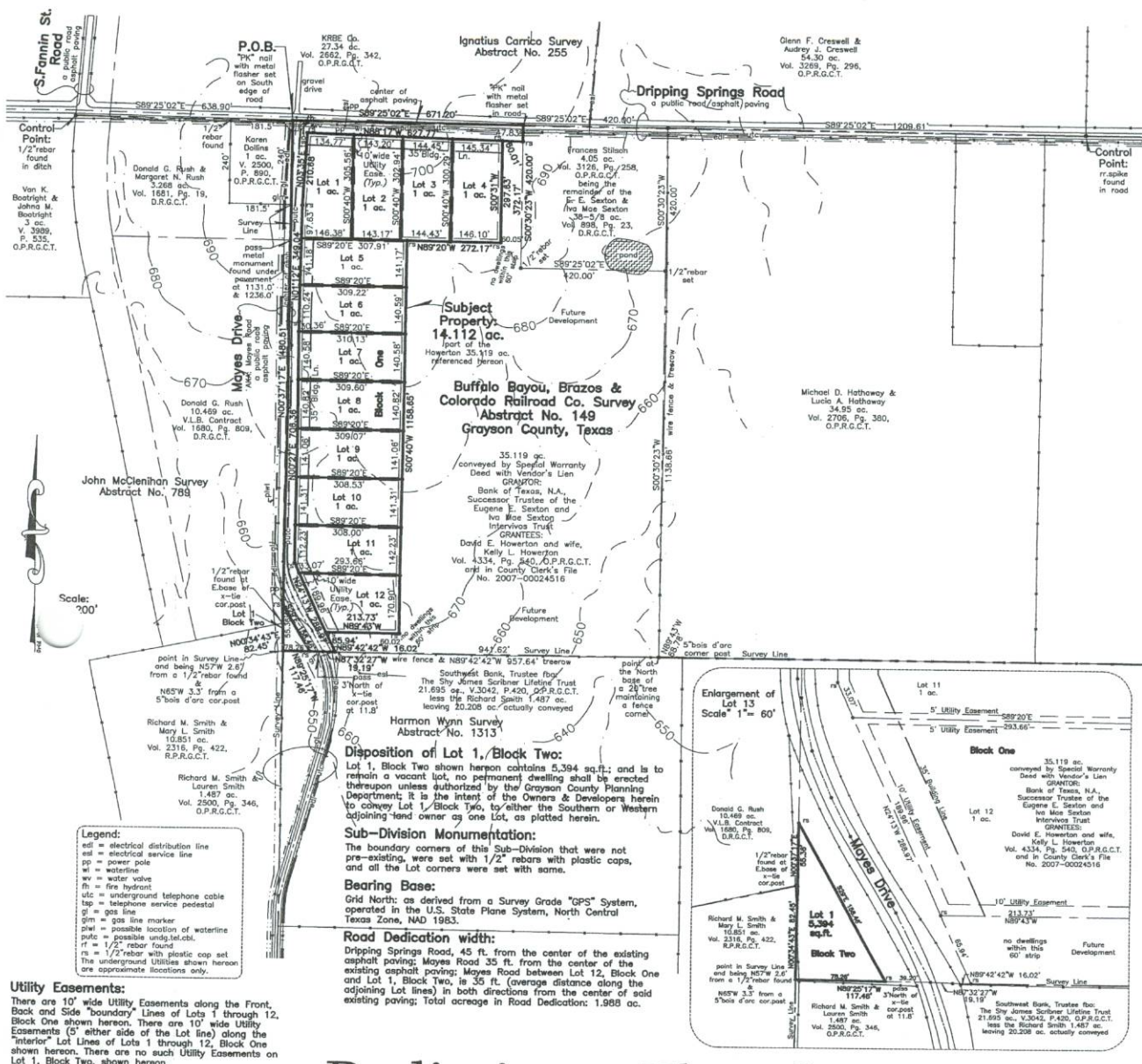
It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc:	George Olson, City Manager	Fire Marshal's Office
	Mark Gibson, Director of Utilities and Engineering	Jeff Miller, Director of Public Works
	Doreen E. McGookey, City Attorney	James Shankles, Jr., P.E., City Engineer
	Rita Gaither, Planning & Development Coordinator	Helvey & Associates Surveying, Inc.
	Jerry White, Grayson County	



Preliminary Plat of Rolling Meadows Estates Phase One to Grayson County, Texas

14.112 Acres
 in the
 Buffalo Bayou, Brazos & Colorado
 Railroad Co. Survey, Abstract No. 149

Owners & Developers
 David E. Howerton & Kelly L. Howerton
 1640 W. Woodward St.
 Denison, Texas 75020
 Ph 903-465-8678

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

5300-5600 Blocks of Dripping Springs Road and 100-200 Blocks of Mayes Road
14.112 Acres in the Buffalo Bayou,
Brazos & Colorado Railroad Co. Survey, Abstract No. 149
Final Plat

Requested Action/Proposed Use:

Final Plat of Rolling Meadows Estates, Phase 1, an addition in the extra territorial jurisdiction of the City of Sherman

Adjacent Zoning:

NA

Origination:

David E. Howerton and Kelly L. Howerton (Owners) and Helvey & Associates Surveying, Inc. (Surveyor)

Considerations:

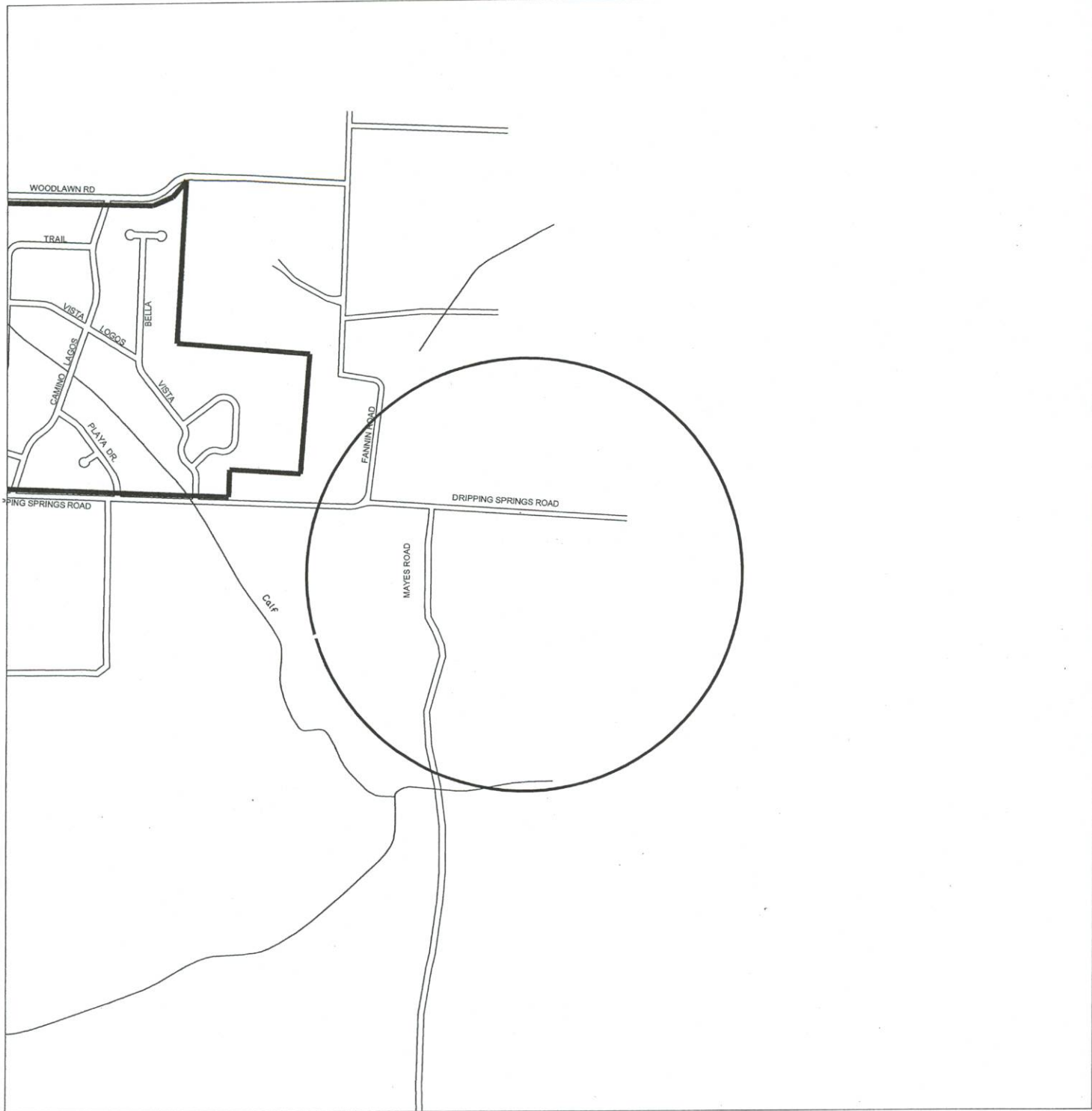
Master Plan Designation: Residential

Attachments:

Location map
Photographs
Final Plat
Staff Review Letter

Prepared By:
Rita Gaither
Development Coordinator

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M-H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		B-I-P BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 1417
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-2 GENERAL COMMERCIAL DISTRICT		CPO COLLEGE PARK OVERLAY
	CO OFFICE DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		



**5300-5600 BLK DRIPPING SPRINGS
100-200 BLK MAYES RD
FINAL PLAT**

Department of Developmental Services





Dripping Springs Road

Mayes Road

Scale: 1 inch = 250.0 feet

November 13, 2007

David E. Howerton
Kelly L. Howerton
1640 W. Woodard St.
Denison, TX 75020

Dear Applicant,

The request for approval of a Final Plat of Rolling Meadows Estates, Phase One (an addition in the extra territorial jurisdiction of the City of Sherman) concerning the property located in the 5300-5600 Blocks of Drippings Springs Road and the 100-200 Blocks of Mayes Road has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Wording on the plat shall provide that the lots are to be served by individual on-site sewage facility and are to be installed according to State of Texas and Grayson County guidelines.
2. The proper water provider (Starr Water) serving the lots shall be shown on the plat.
3. Letters from the various utility companies stating the availability of service and the adequacy of easements are required.
4. Original tax certificates for the property must be furnished prior to recording of the plat.
5. Any other changes made to the final plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

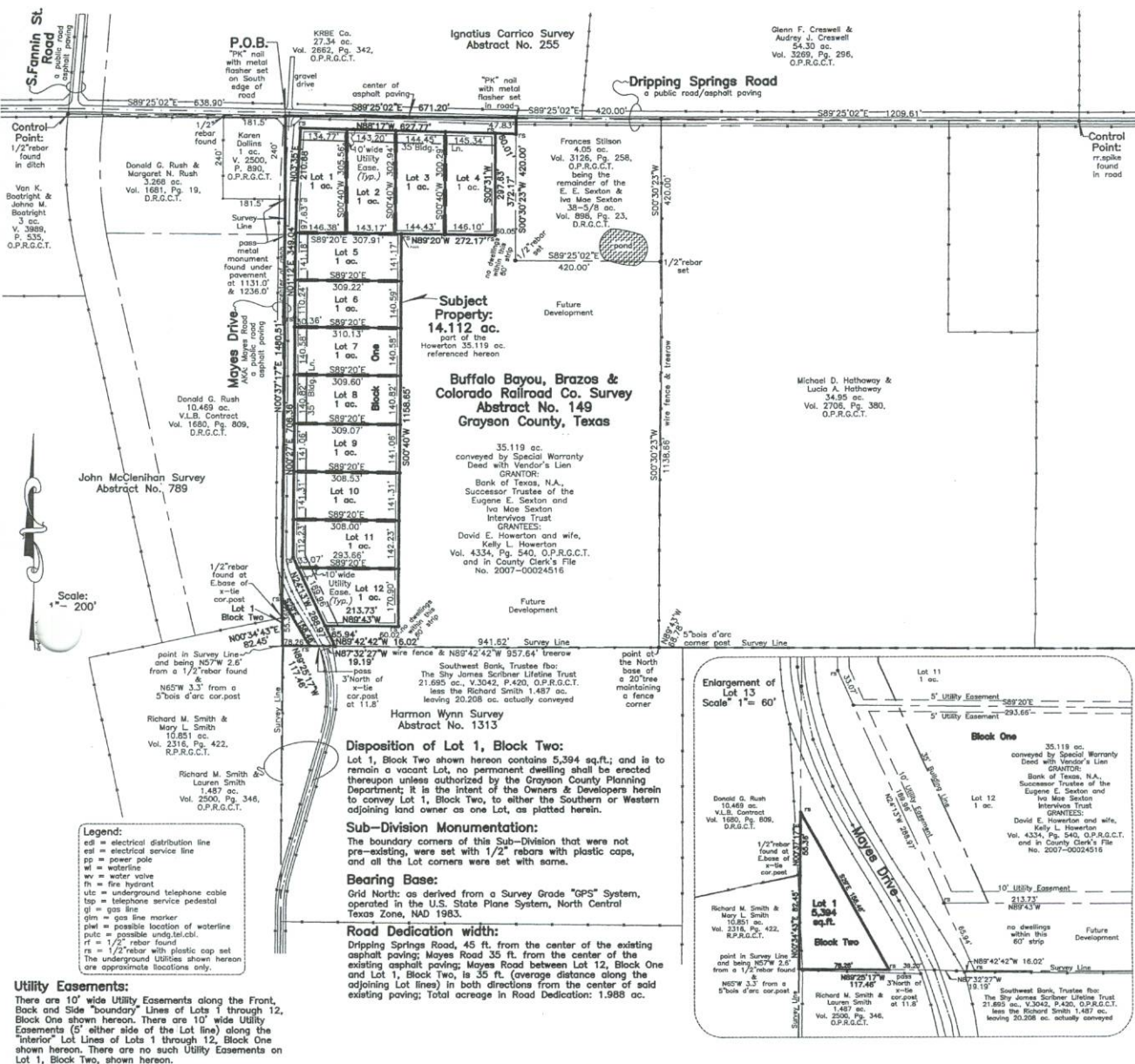


Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director of Utilities and Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Planning & Development Coordinator
Jerry White, Grayson County

Fire Marshal's Office
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer
Helvey & Associates Surveying, Inc.



Helvey and Associates Surveying, Inc.
 222 W. Main St.
 Denison, Texas 75020
 Ph 903-463-6191 Fax 903-463-4088

Plot: KR/LDDT1/Project/Sexton-to-Howerton-34ac

page one of two

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

302 North Cleveland Street
being Lot 10, Block 28, College Park Addition
Site Plan

Requested Action/Proposed Use:

Site plan and building design approval for a single family dwelling in an R-1 (One and Two Family Residential) District and the College Park Overlay District.

Background

The owner would like to construct a new single family dwelling at 302 North Cleveland Street. The exterior will be tan brick with white rock accents and tan trim on the front and right elevations. The rear and left elevations will be concrete fiber board (hardy plank siding) with tan trim. The owner has constructed the same house at 221 East Brockett Street and 1218 North Brents Street.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

Roberto Meraz (Owner)

Master Plan Designation:

Residential

Attachments:

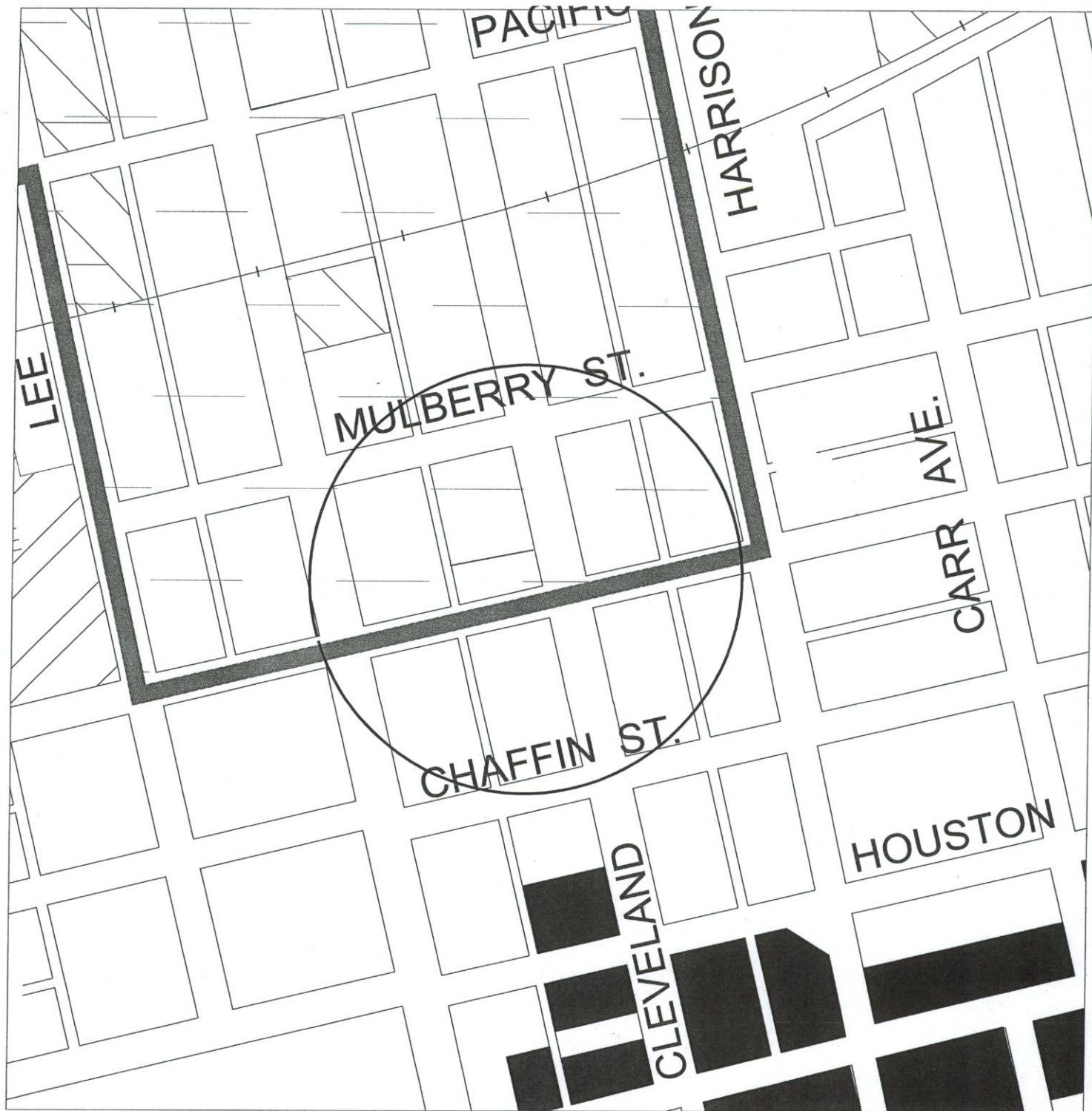
Location map
Photographs
Site Plan

Prepared By:

Patsy Reeves
Development Services Secretary

Approved By:

Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M-H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		O-1 BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-1 RETAIL BUSINESS DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-2 GENERAL COMMERCIAL DISTRICT		CPO COLLEGE PARK OVERLAY
	CO OFFICE DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		



302 N CLEVELAND SITE PLAN

Department of Developmental Services





Scale: 1 inch = 50.0 feet

170'	2
160	3
161	4
162	5
163	5

164	6
165	7
166	8
167	9
167	10

170'	1
193	1
194	5

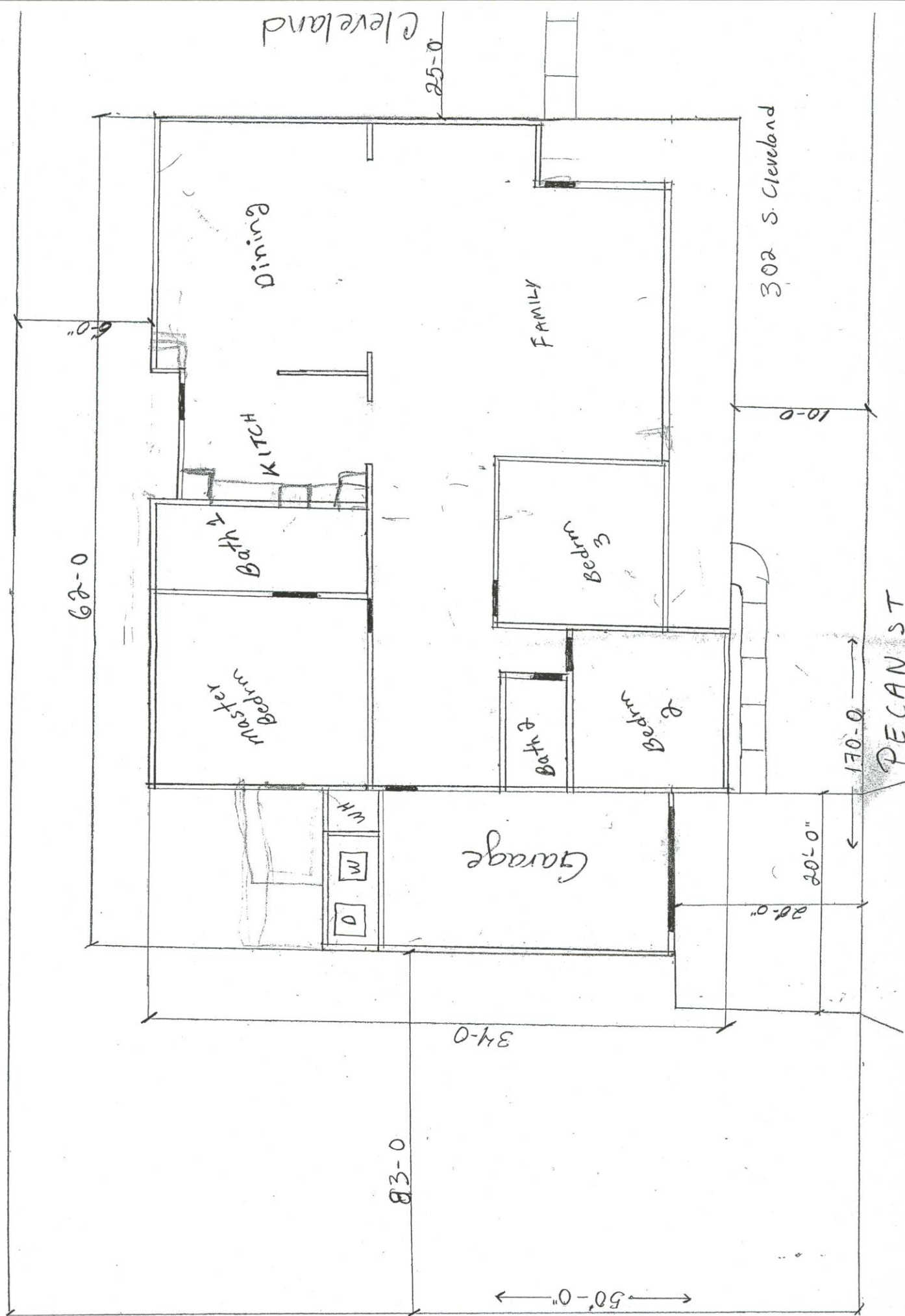
189	5
188	6
170'	

PECCAN

169	2
170	3
171	4
172	5
173	6

160'	1
183	1
184	2

CLEVELAND





1218 N. Brents



221 E. Brockett

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1902 Texoma Parkway
being 2.28 acres in the J.B. McAnair Survey, Abstract No. 763
Site Plan Approval and Permit for a Mobile Food Vendor

Requested Action/Proposed Use:

Site Plan Approval and Permit for a Mobile Food Vendor under Ordinance No. 2280, Section 8, Subsection (4.1) in a C-2 (General Commercial) District.

Background

The applicant would like to move in a mobile food trailer on the same lot as Second Hands Sports at 1902 Texoma Parkway. The hours of operation will be Monday thru Saturday from 10 a.m. to 6 p.m. There will be two employees and parking will be provided.

Adjacent Zoning:

C-2 (General Commercial) District and R-1 (One and Two Family Residential) District

Origination:

B.D. Golf Inc. (Owner) S. H. Sports (Tenant) and Tim Berry (Applicant)

Number of notices mailed:

14

Objections Received:

0

Master Plan Designation:

Residential

Attachments:

Location map

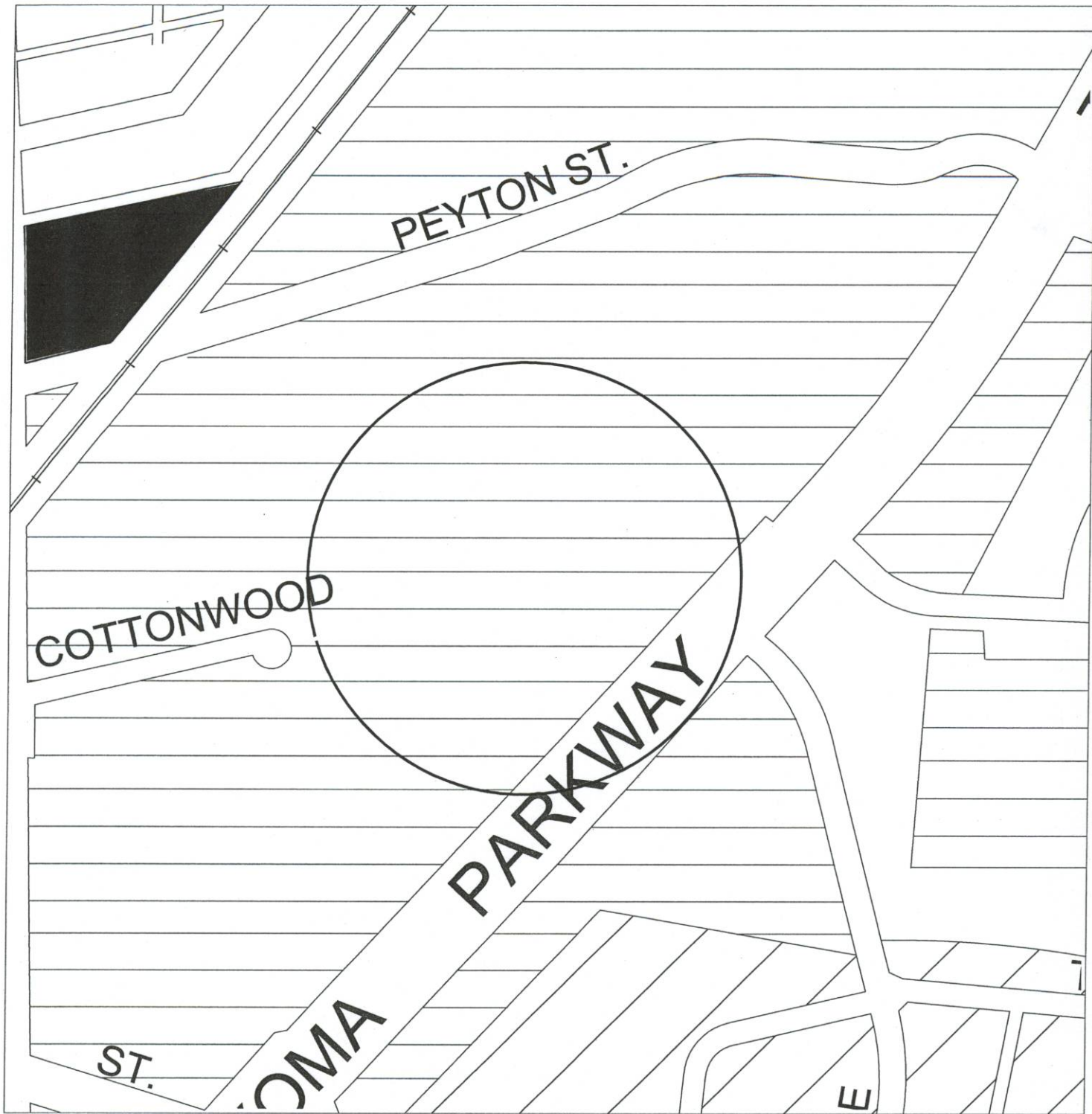
Photographs

Site Plan

Staff Review Letter

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-O OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



1902 TEXOMA PARKWAY SITE PLAN

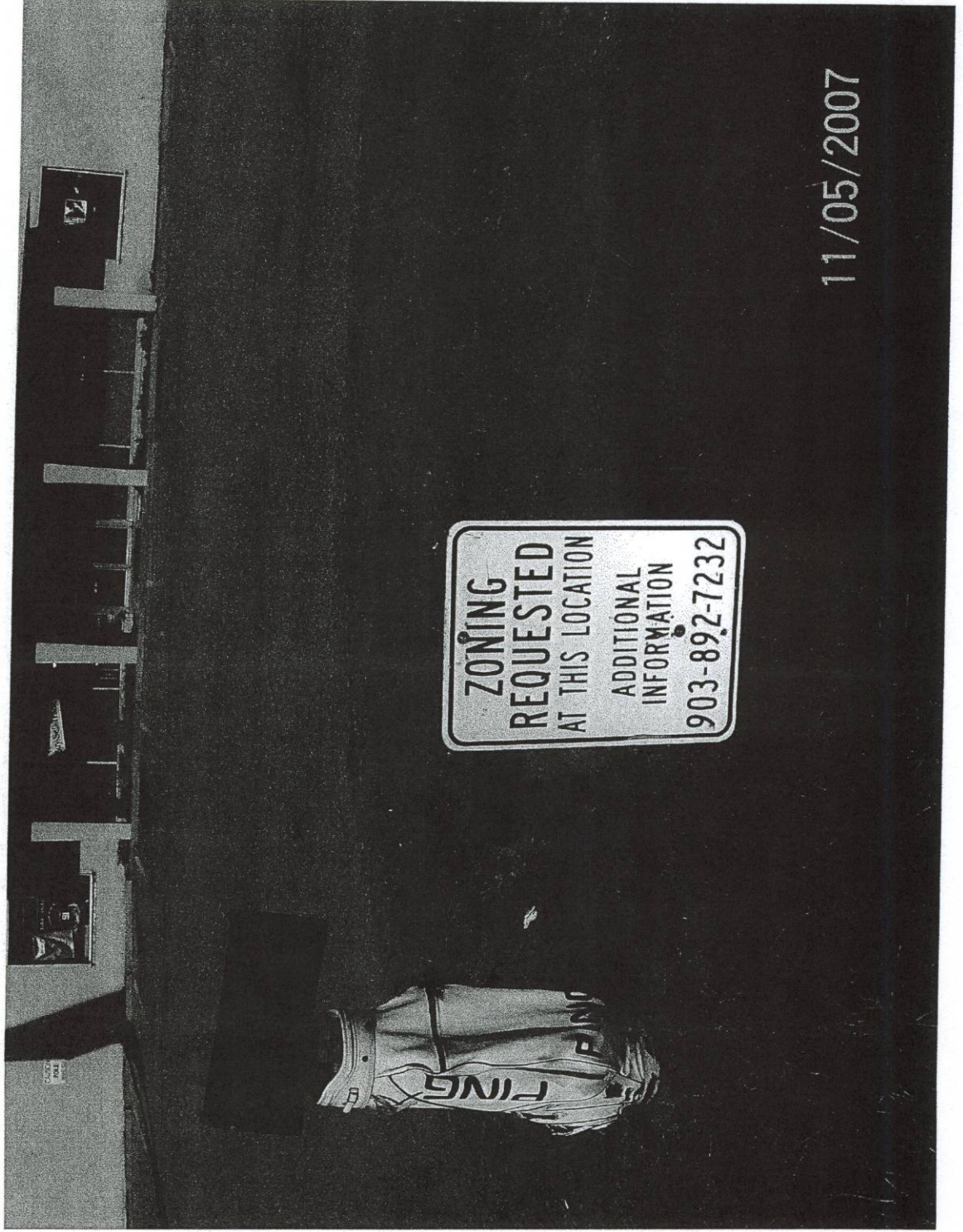
Department of Developmental Services



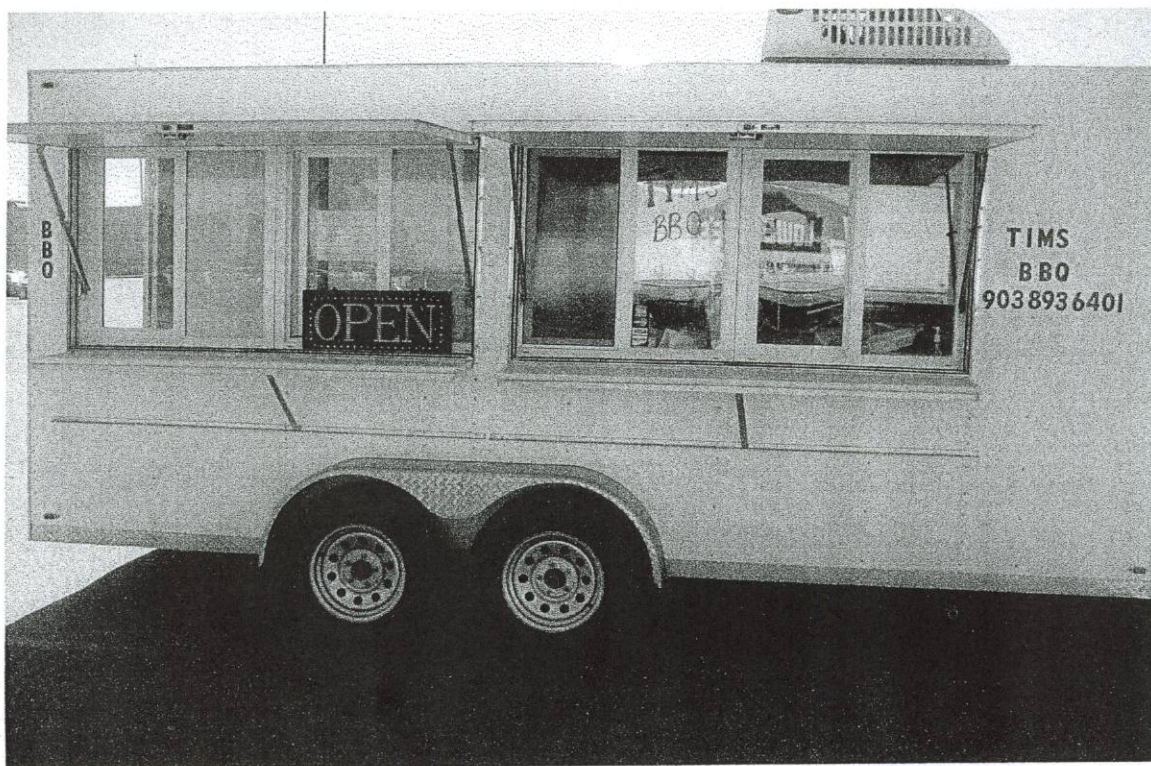


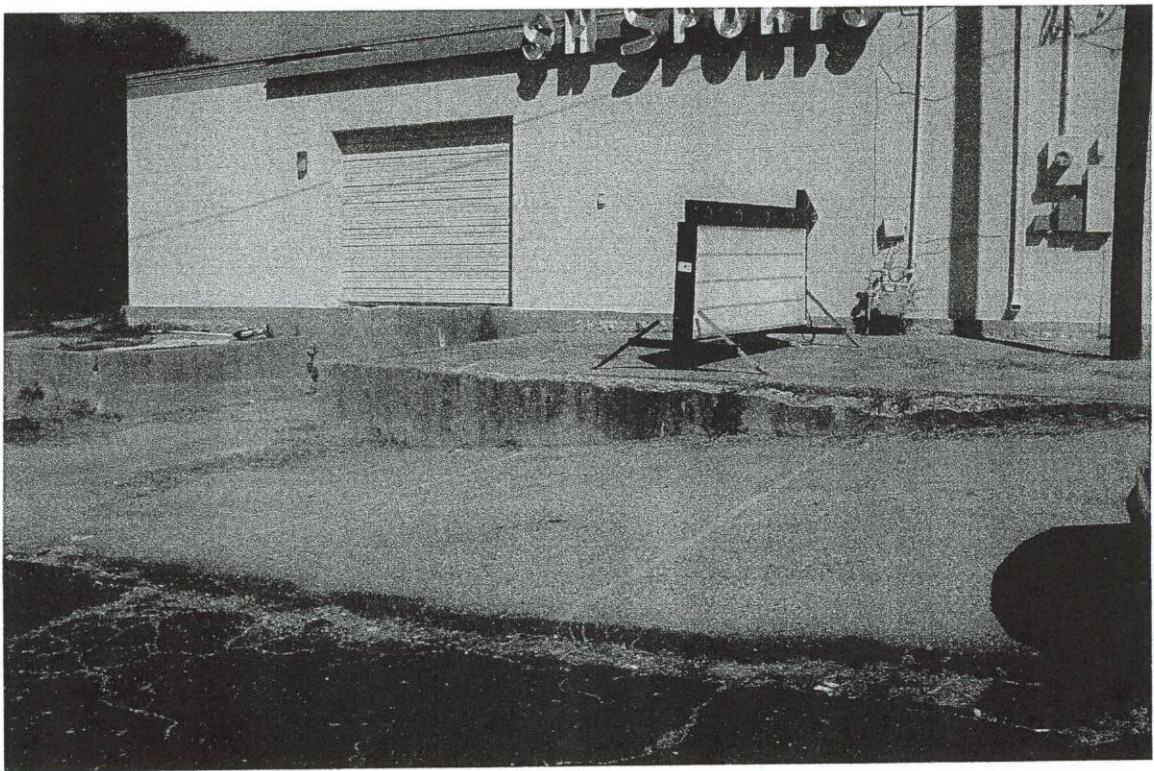
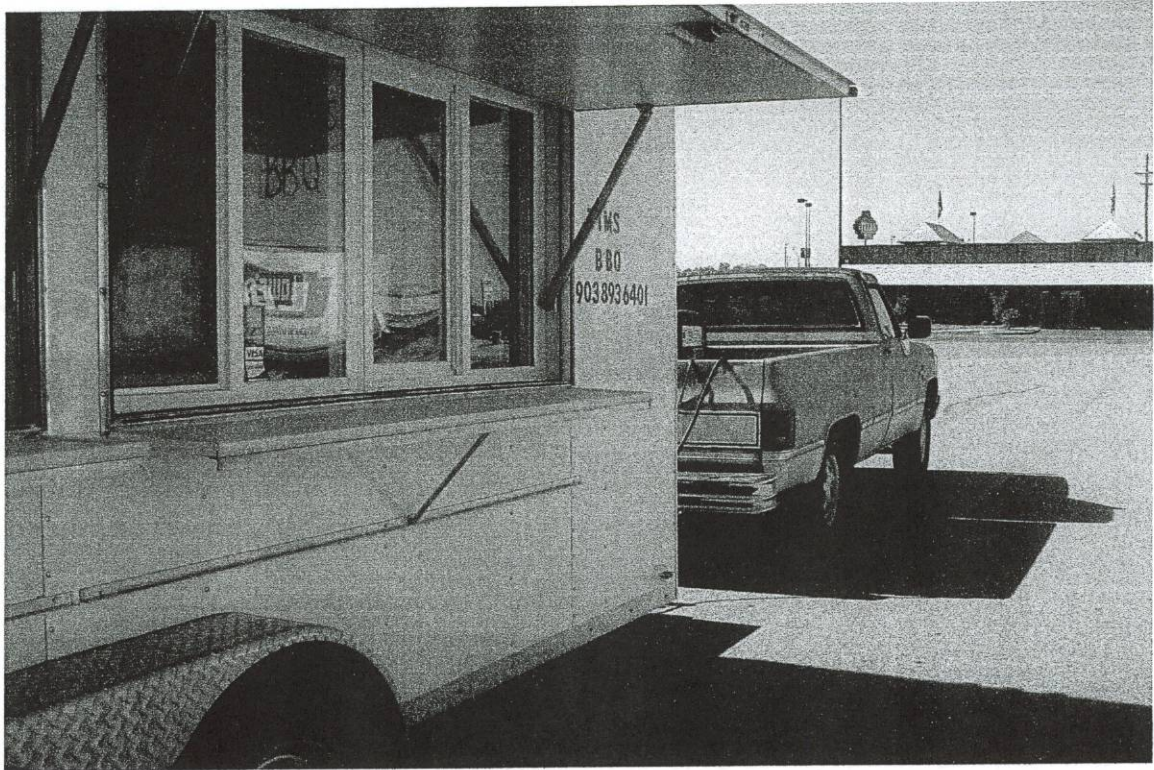
Scale: 1 inch = 60.0 feet

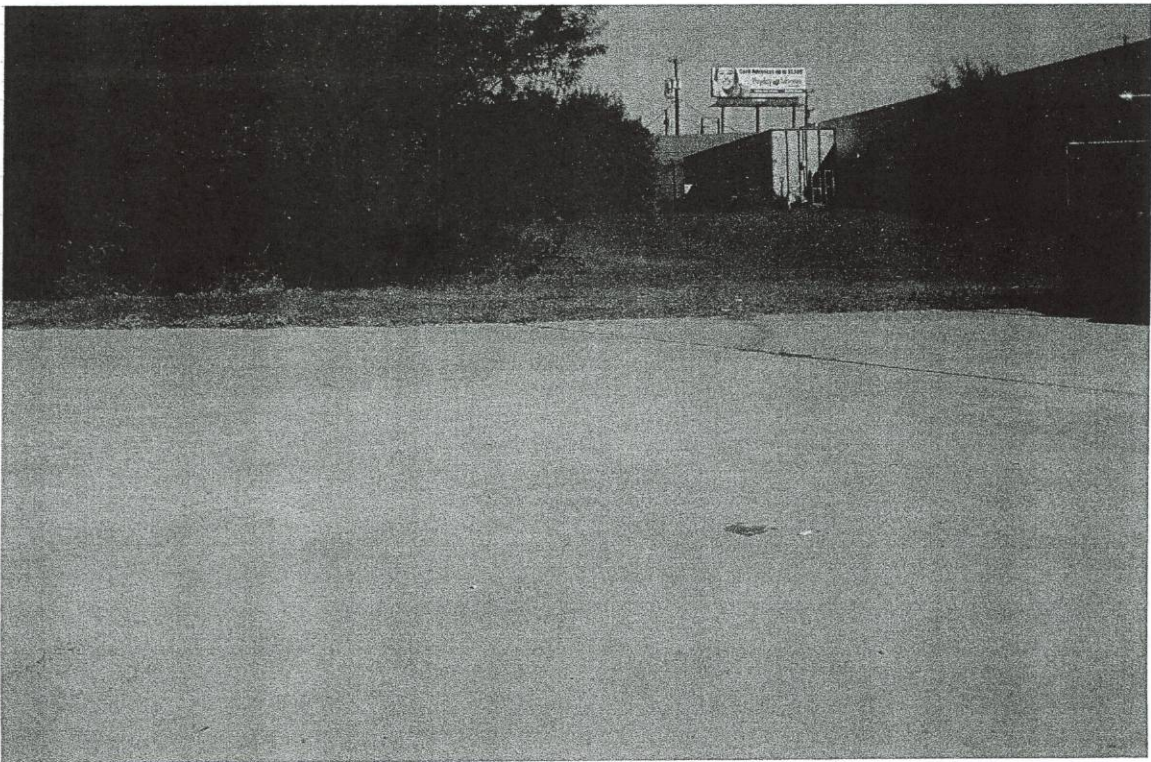
1902 Texoma Pky.

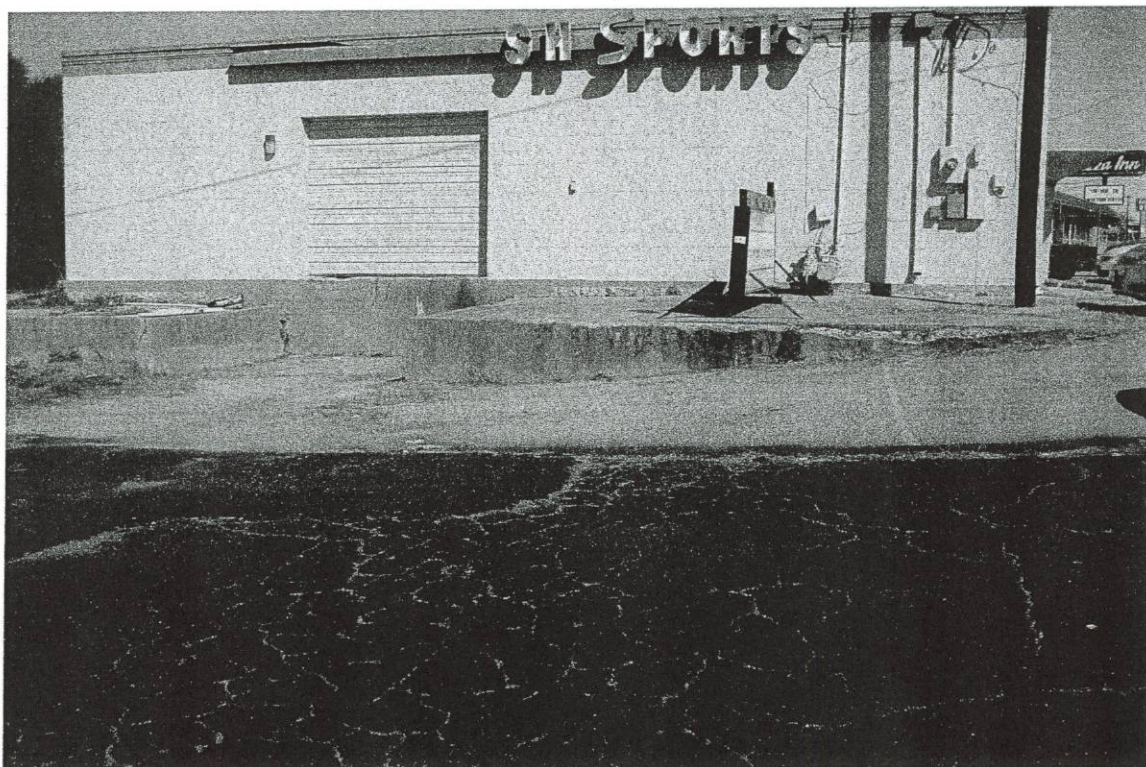


11/05/2007

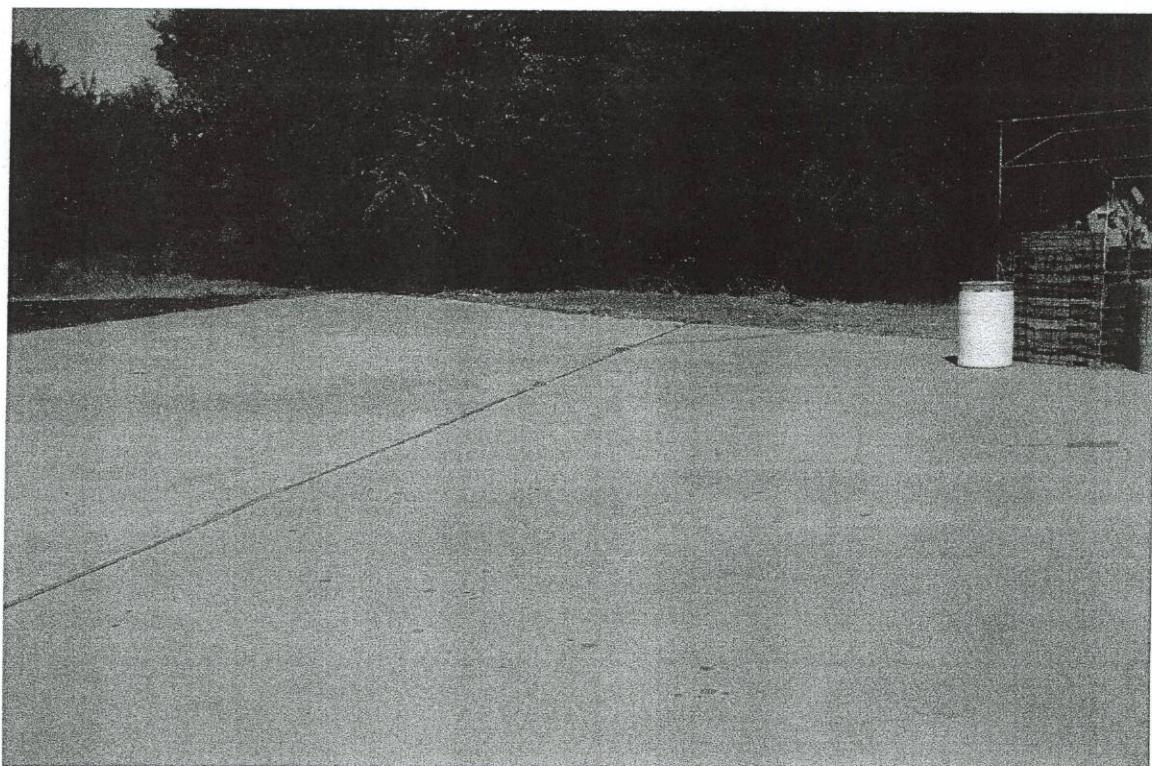
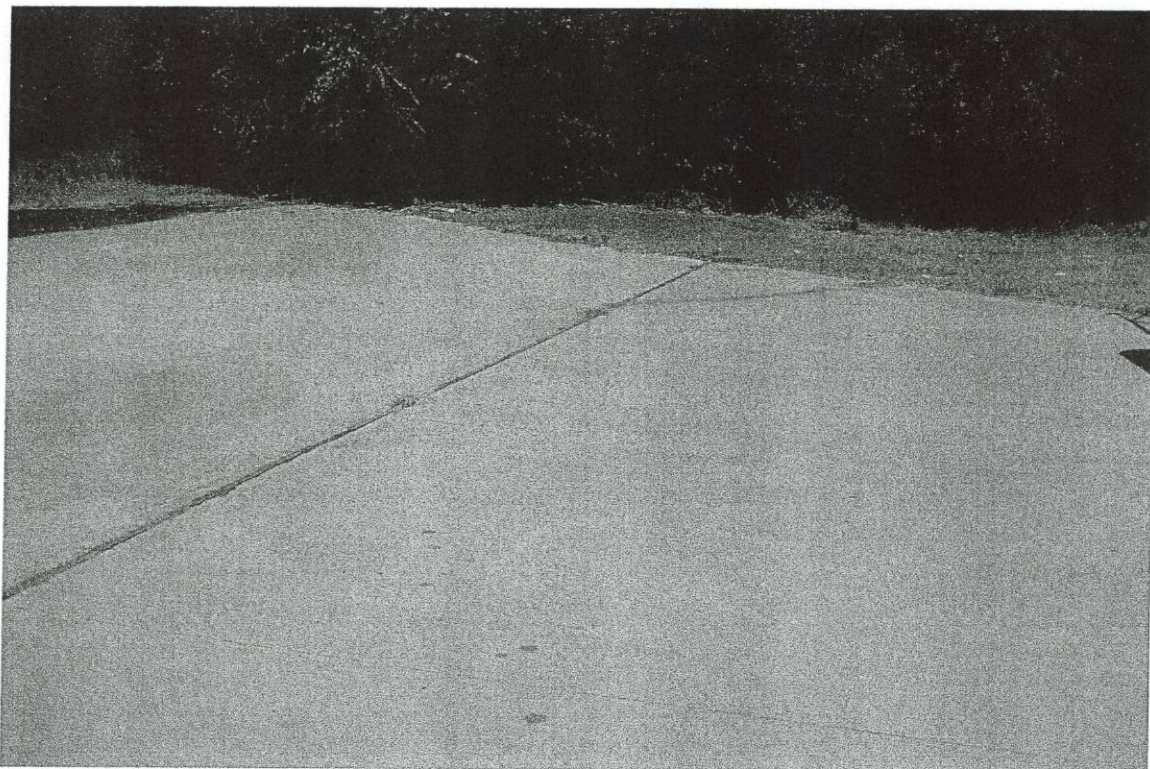




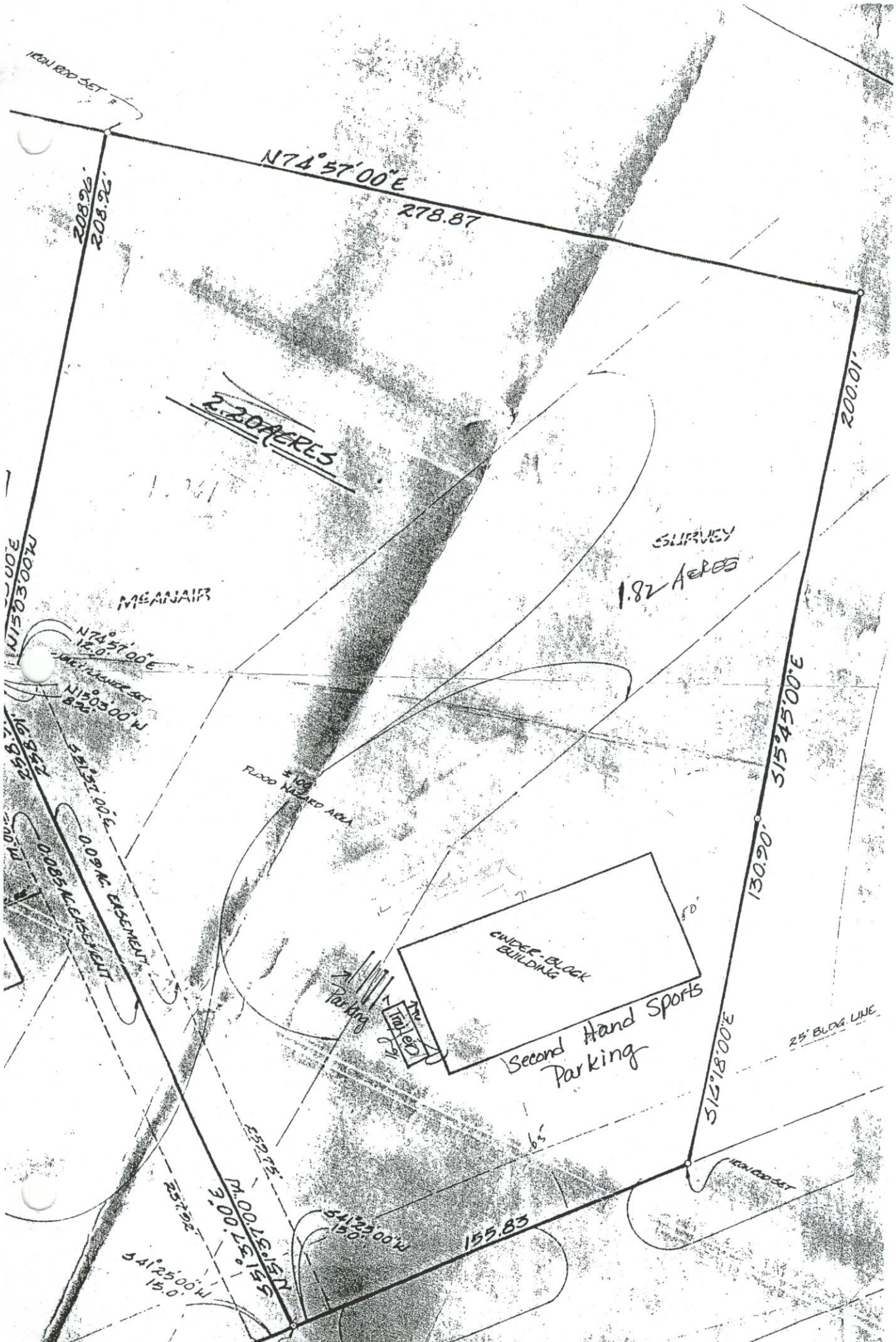












**STAFF REVIEW LETTER**

November 15, 2007

B.D. Golf Inc.
Jeff Lightfoot
1902 Texoma Parkway
Sherman, Texas 75090

Tim Berry
1406 LaSalle Dr.
Sherman, Texas 75090

Dear Applicant,

The request for approval of a site plan and permit for a mobile food vendor concerning the property located at 1902 Texoma Parkway, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Compliance with all requirements of the Mobile Food Vendors Permit Ordinance is required.
2. The vending unit must maintain a twenty-five (25') foot setback from the front property line along Texoma Parkway.
3. A portion of the lot is in the 100 year flood plain area; the vending unit may not park in that area.
4. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1002 South Travis Street
being all of Lots 18, 19 and 20 of M.B. Moore's Addition
Variance and Exception

Requested Action/Proposed Use:

- a) Variance under Ordinance No. 2280, Section 7, Subsection (5) to allow a zero (0) foot front yard setback in lieu of the required 25 foot for a 6 foot masonry fence in an R-2 (Multi-Family Residential) District.
- b) Exception under Ordinance No. 2280, Section 6.3. Subsection (7) to allow a masonry fence with wrought iron corners in lieu of the required masonry perimeter wall surrounding the development in an R-2 (Multi-Family Residential) District.

Background

The owners would like to construct an apartment complex on the lot. They would like to erect a six foot masonry fence on the property line with wrought iron corners for visibility along Travis Street.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and R-2 (Multi-Family Residential) District

Origination:

Paul Andrew Huggins (Owner) and Teague, Nall and Perkins (Engineers)

Master Plan Designation:

Residential

Number of notices mailed:

19

Objections Received:

0

Attachments:

Location map

Photographs

Site Plan

Prepared By:

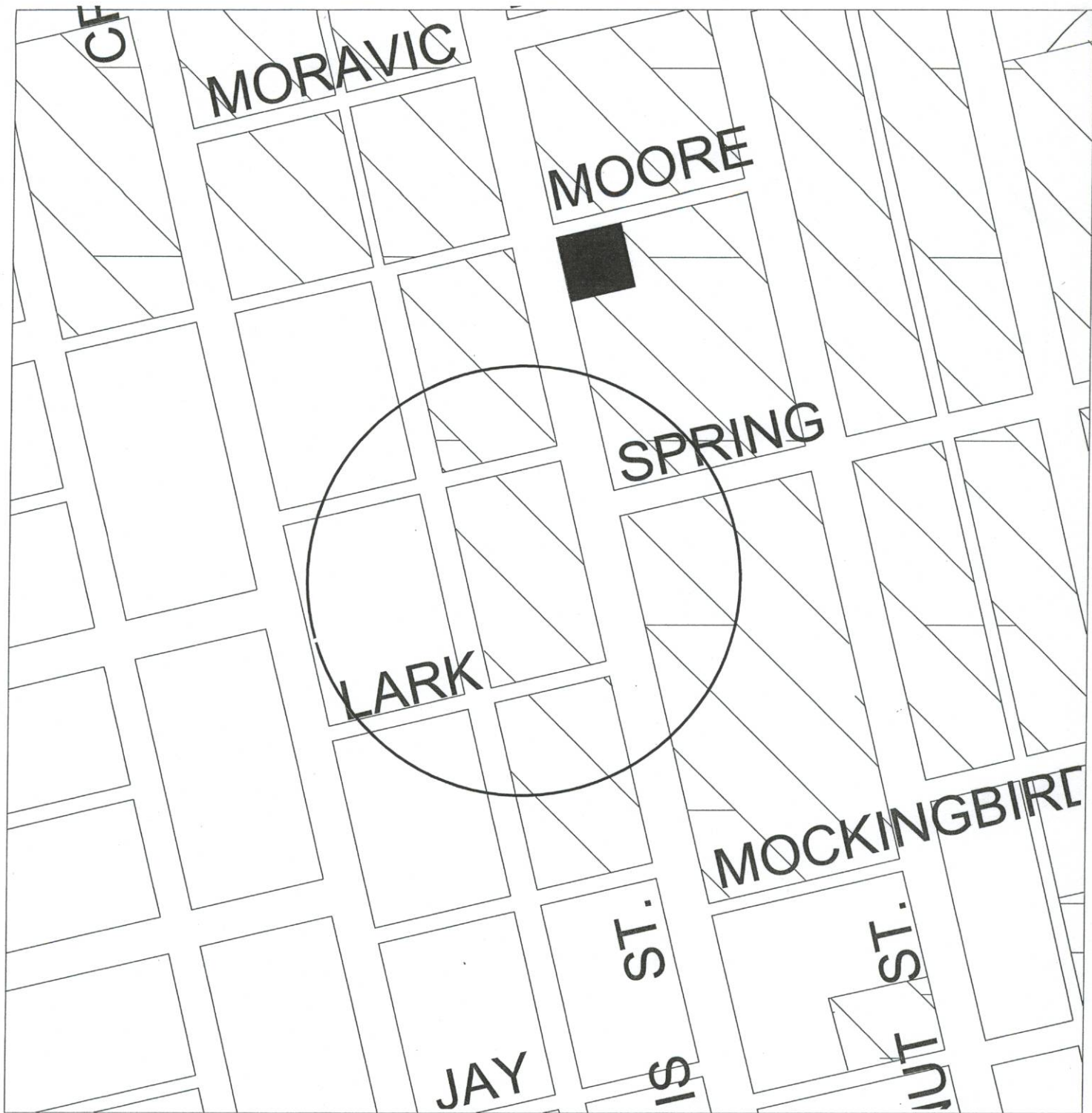
Patsy Reeves

Development Services Secretary

Approved By:

Scott Shadden,

Development Services Director



LEGEND

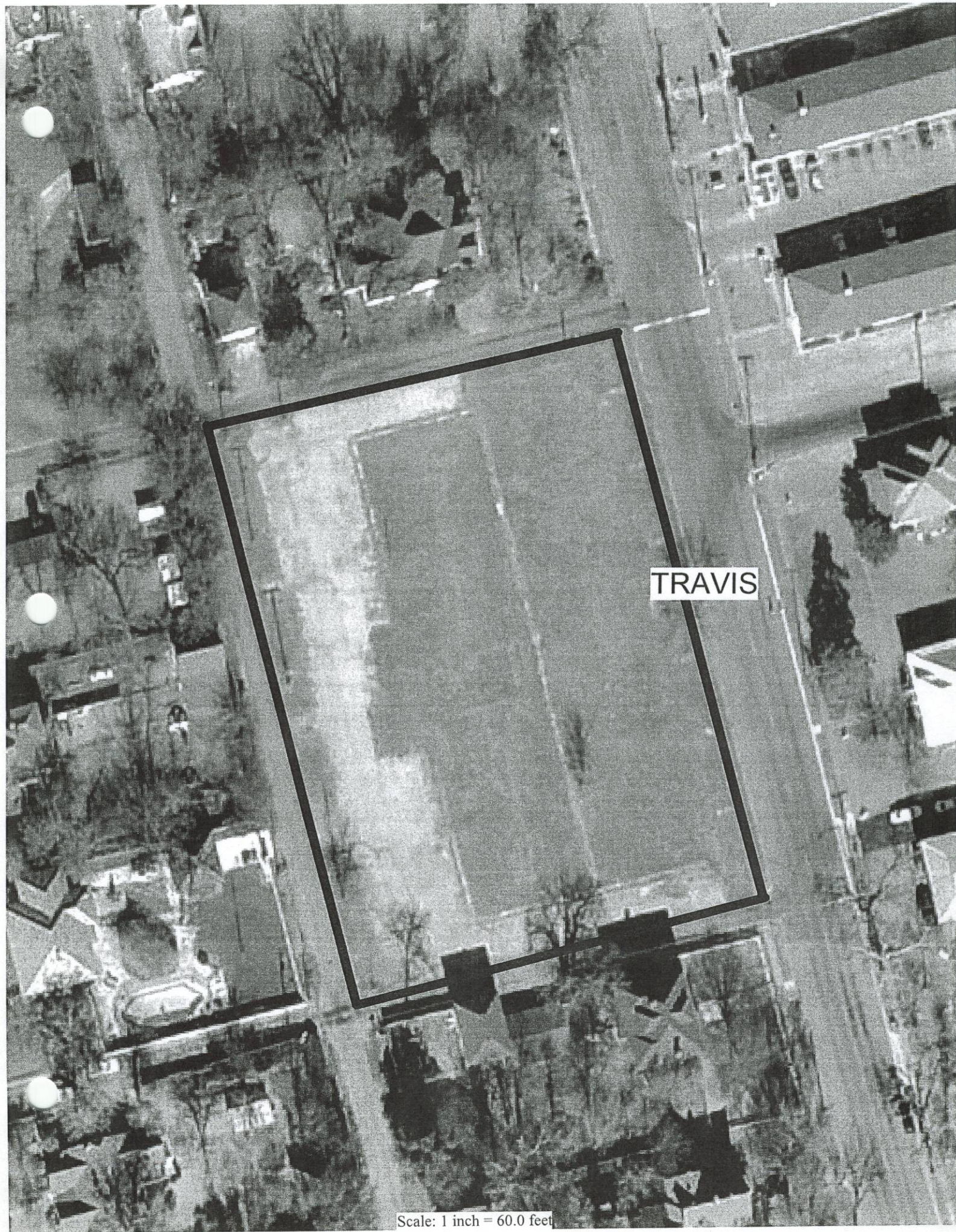
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		O-1 BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-1 RETAIL BUSINESS DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-2 GENERAL COMMERCIAL DISTRICT		CPO COLLEGE PARK OVERLAY
	CO OFFICE DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		



1002 SOUTH TRAVIS VARIANCE

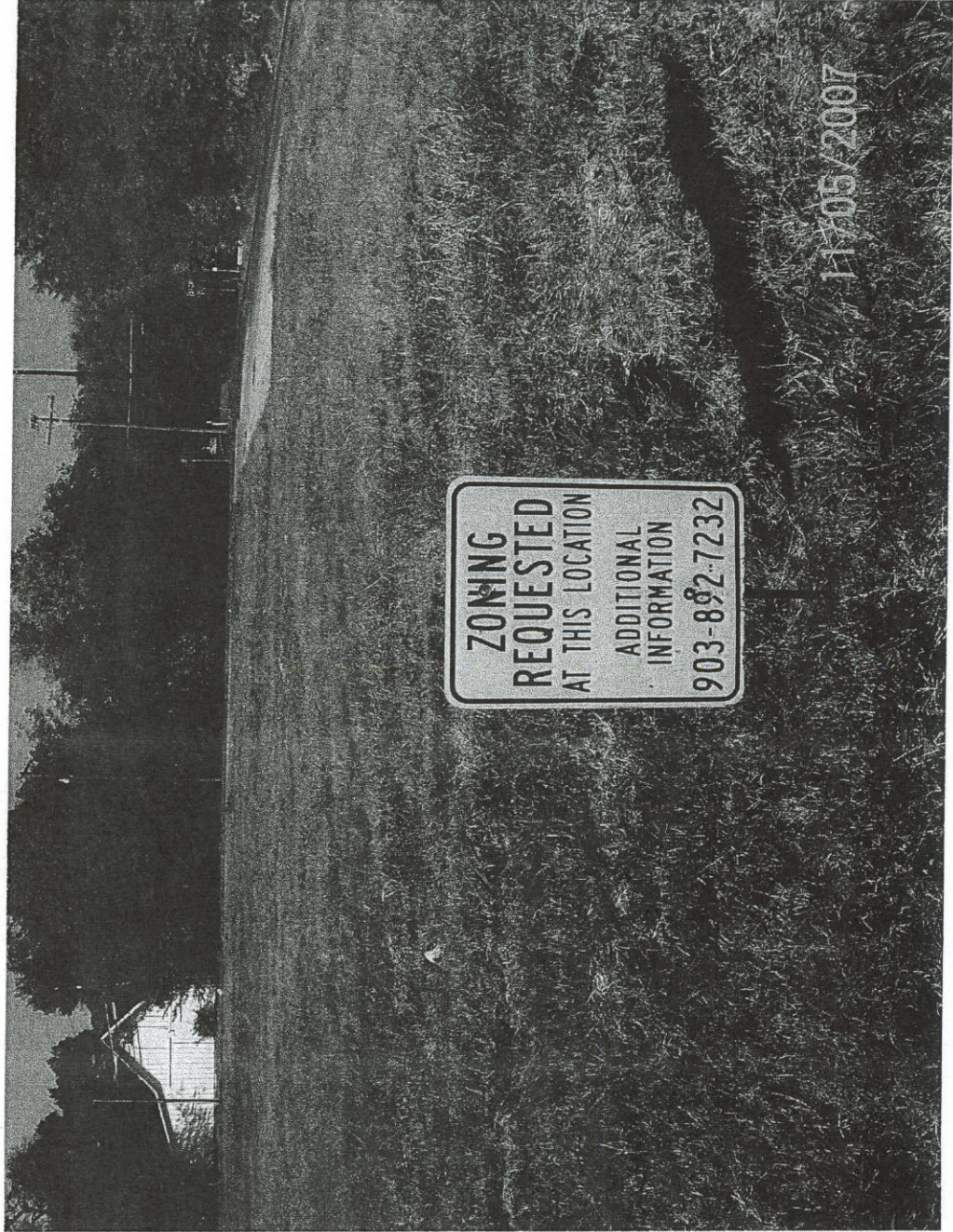
Department of Developmental Services

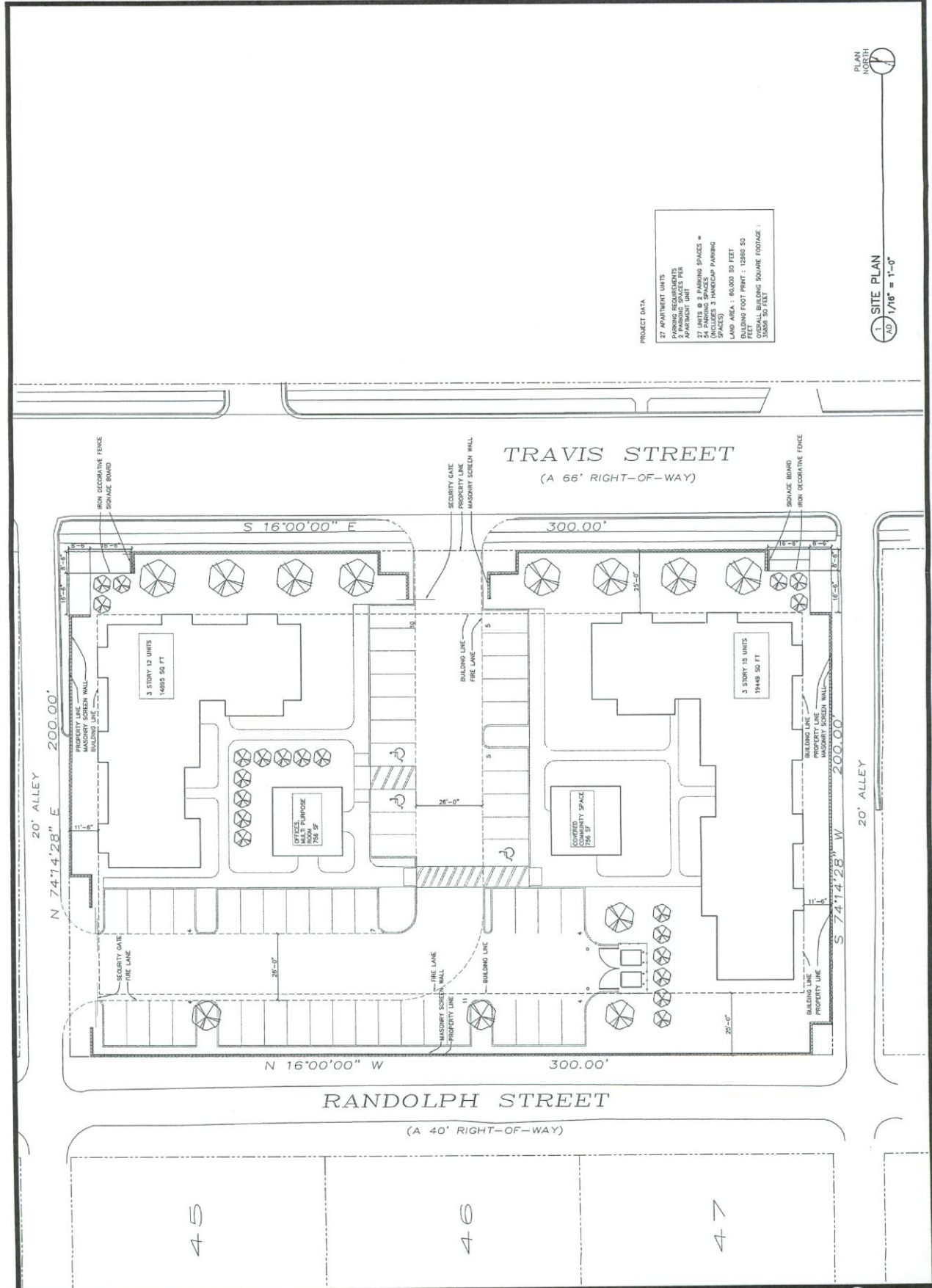




Scale: 1 inch = 60.0 feet

1002 S. Travis





City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1002 South Travis Street
being all of Lots 18, 19 and 20 of M.B. Moore's Addition
Site Plan

Requested Action/Proposed Use:

Site Plan approval for Travis Street Apartments

Background

The owners would like to construct a three story apartment complex on the lot. The lot was formerly the Caprice Apartments which was destroyed by fire a number of years ago.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and R-2 (Multi-Family Residential) District

Origination:

Paul Andrew Huggins (Owner) and Teague, Nall and Perkins (Engineers)

Master Plan Designation:

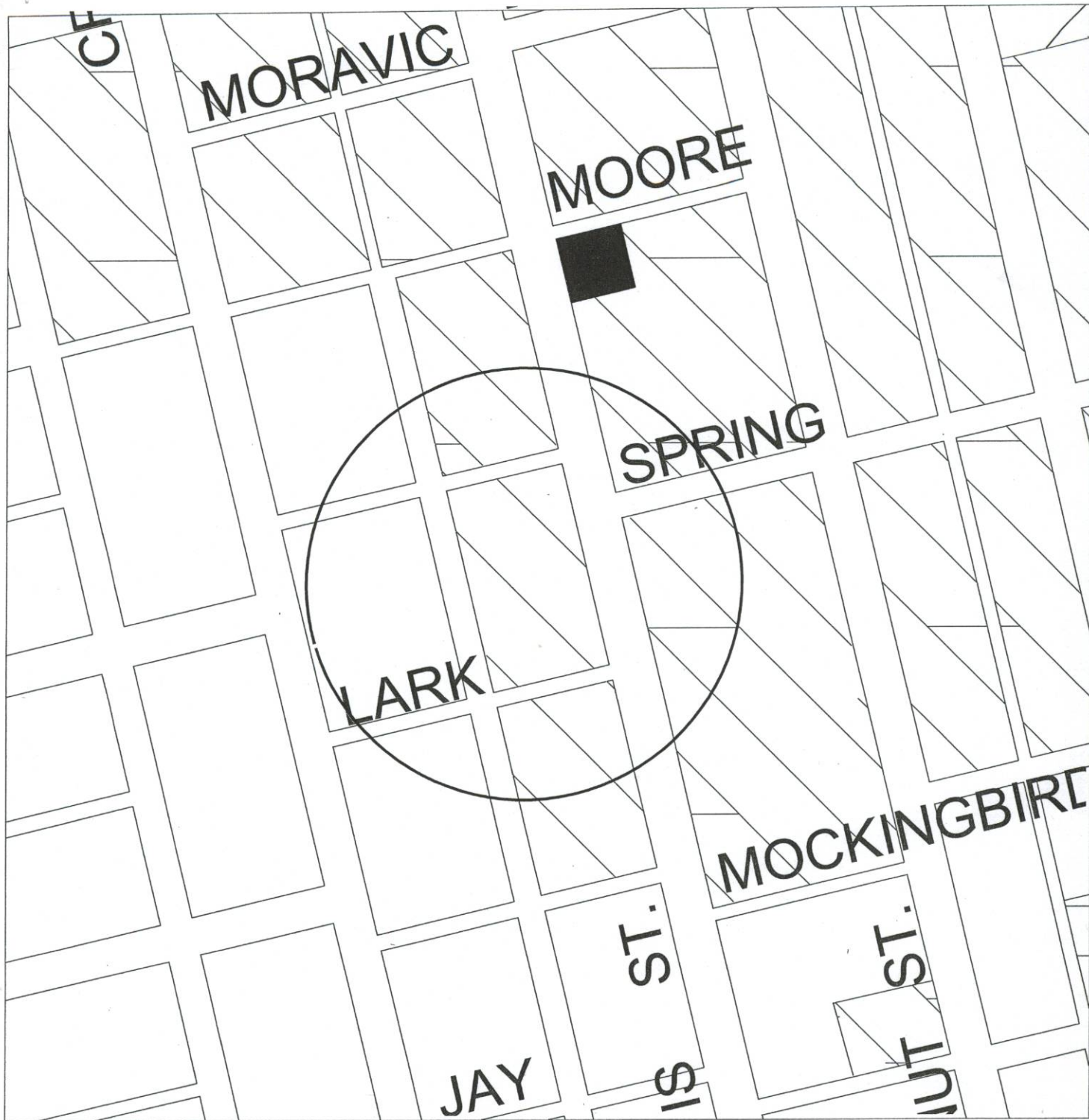
Residential

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

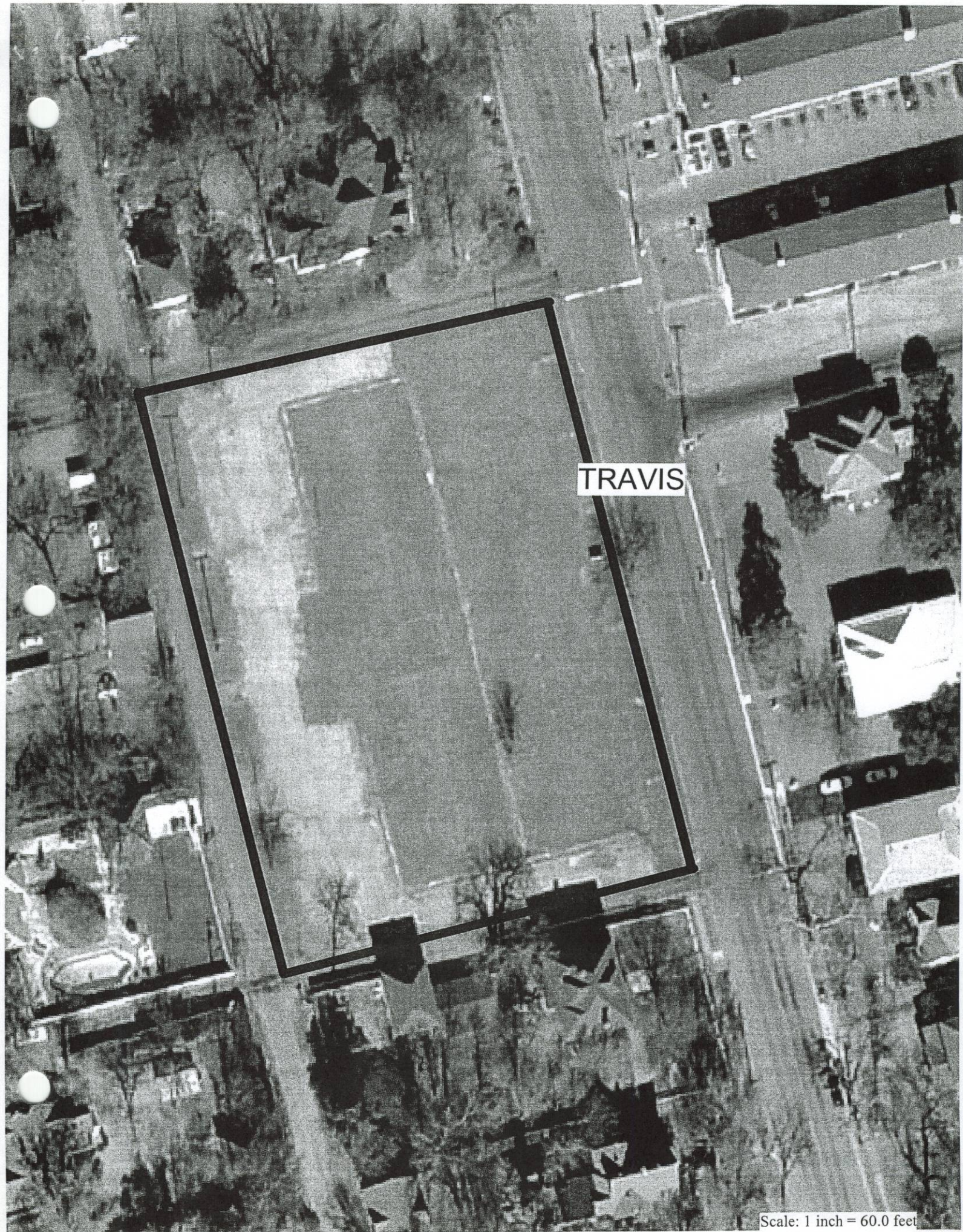
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		B BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



1002 SOUTH TRAVIS SITE PLAN

Department of Developmental Services





Scale: 1 inch = 60.0 feet

**STAFF REVIEW LETTER**

November 15, 2007

Paul Andrew Huggins
P. O. Box 160
Box Hill, Vic, Australia 3128

Teague, Nall and Perkins
Chris Schmitt
200 N. Travis, Ste. 500
Sherman, Texas 75090

Dear Applicant,

The request for approval of a site plan concerning the property at 1002 South Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Meet all requirements of the R-2 (Multi-Family Residential) District Ordinance.
2. The site plan approval is conditional on the variance and exception for the fence along Travis Street in item #10 on this agenda being granted.
3. Provide the number of bedrooms per unit to calculate the number of parking spaces required for the complex.
4. All signs shall be placed flat against the wall of a building and shall not project above the parapet wall or side wall of the building. The signage boards on the fence do not meet the requirements of the sign ordinance.
5. TxDOT requirements shall be followed for the drive entrance on Travis Street and a TxDOT permit is required.
6. Meet all requirements of the 2003 ICC Fire Codes.
7. If the proposed buildings are 30 feet in height or greater, then a 26 foot wide fire lane is required as required per Appendix D section D105.1, D105.2 and D105.3 of the 2003 ICC Fire Codes. It shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
8. Carports/garages are required to have at least twenty feet (20') separation or be considered as aggregate square footage of the adjacent building(s) and meet all requirements.
9. Knox box (security key access) is required for emergency access. Knox pad locks are required on all manual gates and Knox key switch access is required on all electric gates.
10. All electric gates must have at least a twenty (20) foot wide access point.
11. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Shadden", written in a cursive style.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

cc:

George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer



CONSULTANTS:
CONSULTANT1:

THIS TECHNICAL SUBMISSION DESCRIBED
BELOW WAS PREPARED BY ME OR UNDER
MY DIRECT SUPERVISION AND RESPONSIBLE
CHARGE. I AM A duly registered architect
UNDER THE LAWS OF THE STATE OF TEXAS.
ROBERT M. CARLSON
DATED OR PRINTED NAME
28-10-2007
DATE ISSUED
12057
REG. NO.
SIGNATURE
SHEETS COVERED BY THIS SEAL: 40

SHERMAN APARTMENT COMPLEX
ELEVATIONS

SHEET TITLE:
40

REVISIONS:

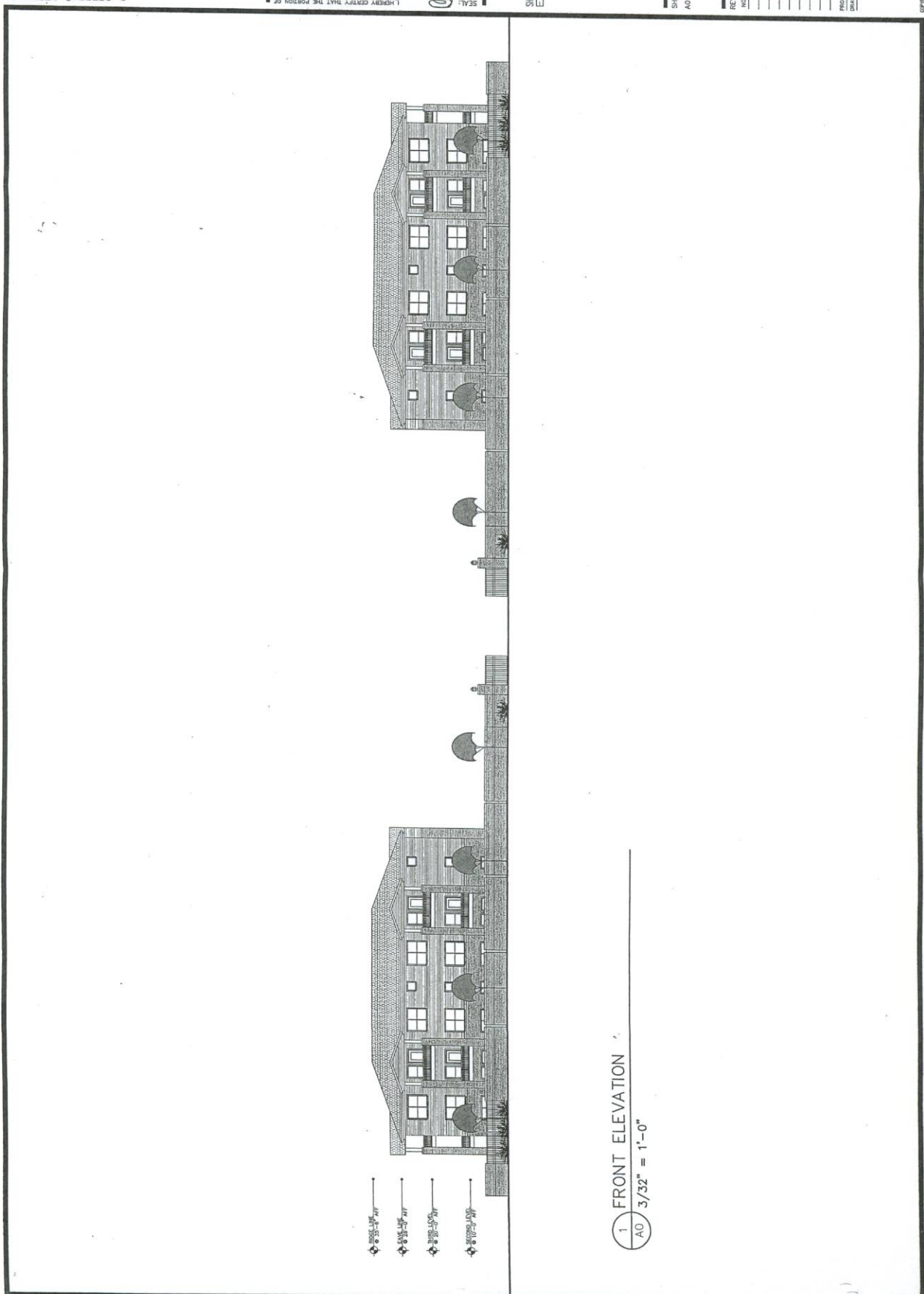
NO: DATE: BY:

PROJECT NO: 0618A.001
DRAWN BY:

AO

OF 1

COPYRIGHT © M. ARCHITECTURE, P.A. 2007





CONSULTANTS:

THIS TECHNICAL SUBMISSION DESCRIBED
BELOW WAS PREPARED BY ME OR UNDER
MY DIRECT SUPERVISION AND RESPONSIBLE
UNDER THE LAWS OF REGISTERED ARCHITECT
CHARGE. I AM A duly REGISTERED ARCHITECT
STATE OF CALIFORNIA
BRUCE M. LARSON
DATE OF PRINTED NAME
DATE ISSUED 26-10-2007
SIGNATURE
REG. NO. 13097
EXEMPTS COVERED BY THIS SEAL: NO

SHERMAN APARTMENT COMPLEX
SITE PLAN SUBMITTAL

SHEET TITLE:

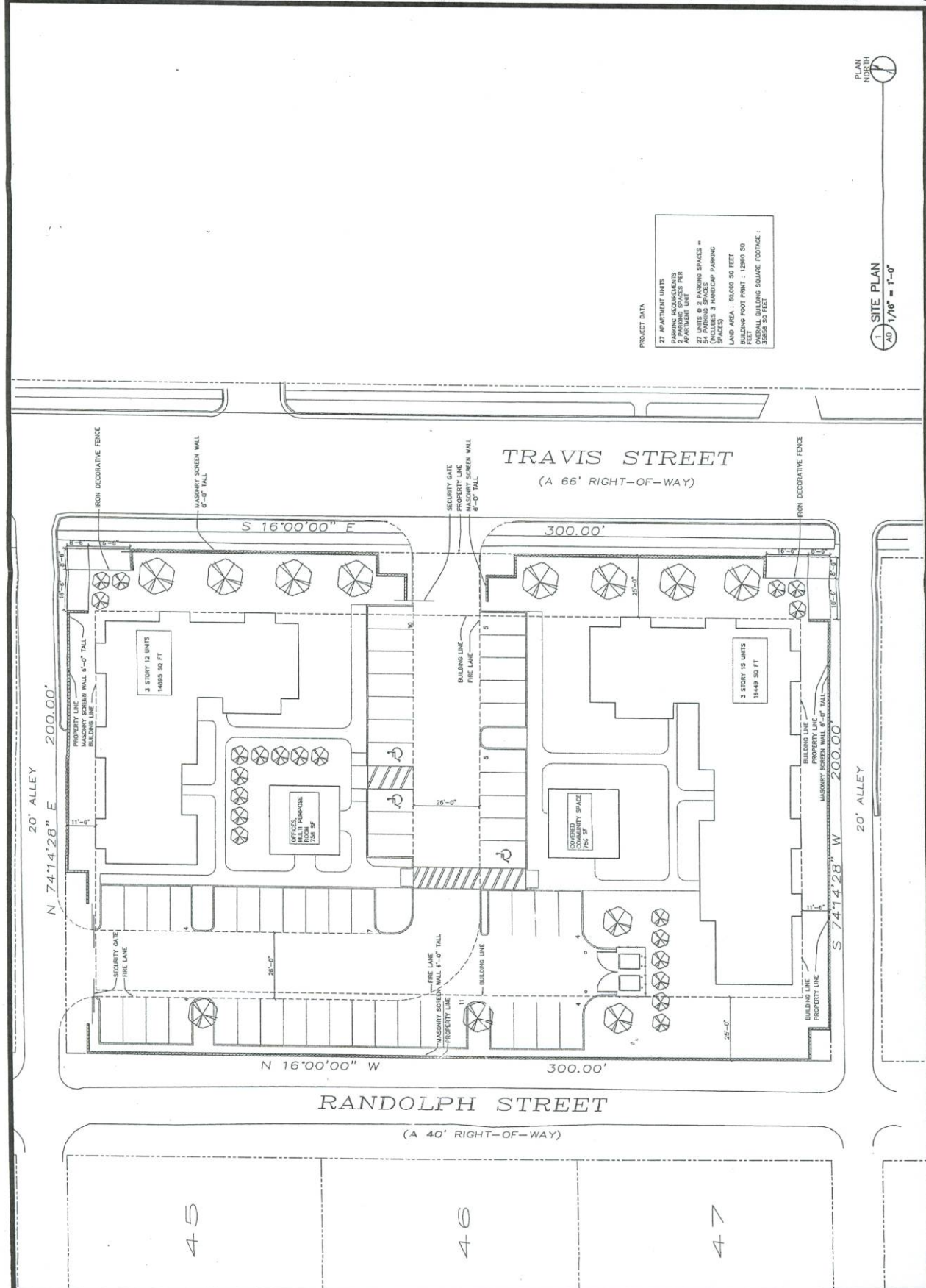
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PROJECT NO:	0618A.001
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AO

100

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City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

2511 North Travis Street
being 2.52 acres in the J. B. McAnair Survey, Abstract No. 763
Site Plan

Requested Action/Proposed Use:

Site Plan Approval for a convenience store with grill and drive thru.

Background

The owners would like to construct a convenience store with grill and drive thru at 2511 North Travis Street. The lot has been vacant for a number of years after the office building was destroyed by fire.

Adjacent Zoning:

C-2 (General Commercial) District and R-1 (One and Two Family Residential) District and R-2 (Multi-Family Residential) District

Origination:

Saiqa Chaudhry (Owner), David Huffman (Contractor) and Sartin and Associates, Inc. (Surveyors)

Master Plan Designation:

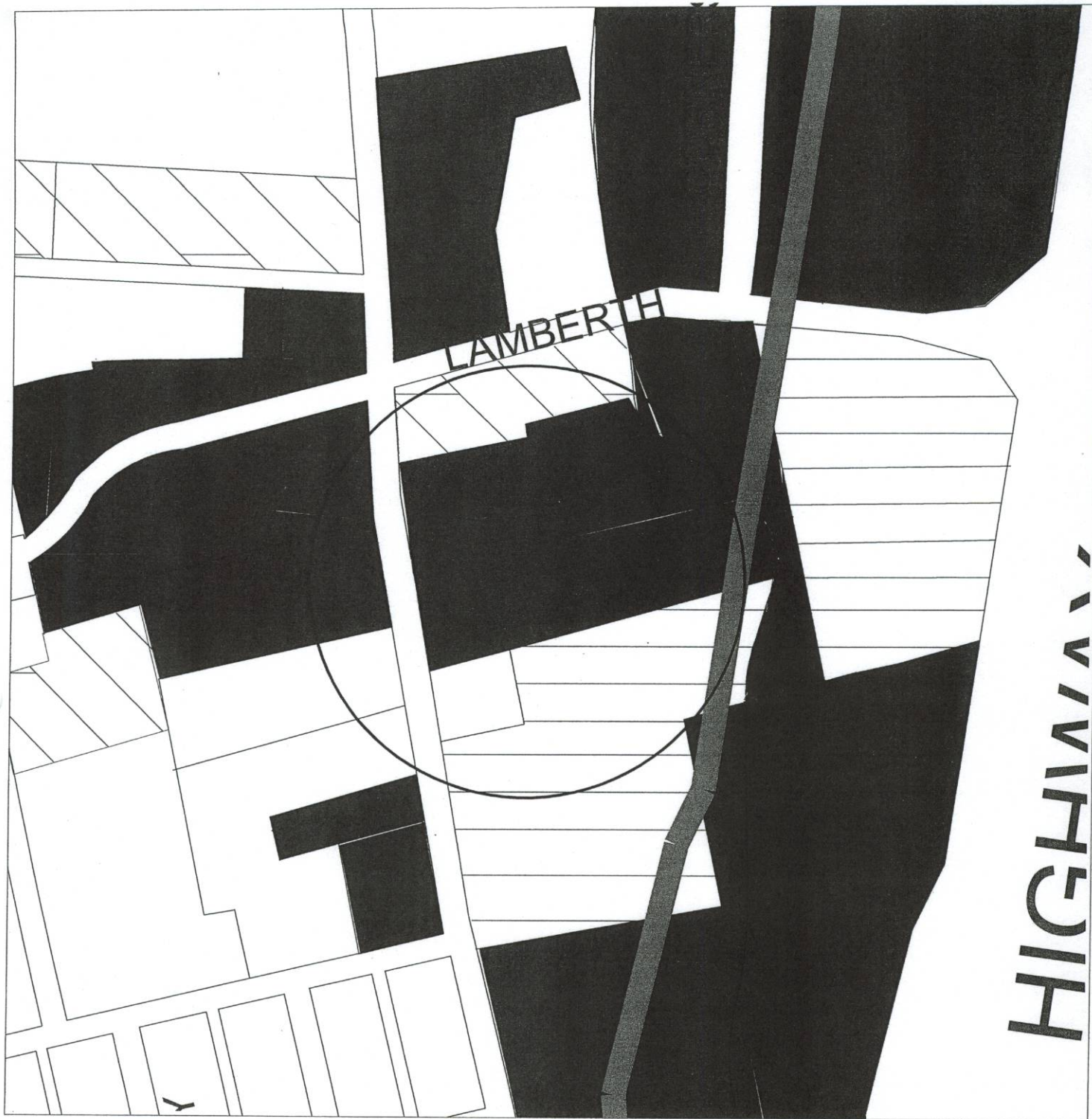
Retail/commercial

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT			BLALOCK INDUSTRIAL PARK
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT		O-1	OVERLAY DISTRICT - 75 & 82
	C-1	RETAIL BUSINESS DISTRICT		O-1.1	OVERLAY DISTRICT - 1417
	C-2	GENERAL COMMERCIAL DISTRICT		O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO	OFFICE DISTRICT		CPO	COLLEGE PARK OVERLAY
	M-1	LIGHT MANUFACTURING DISTRICT		A&C	ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT		CBD	CENTRAL BUSINESS DISTRICT



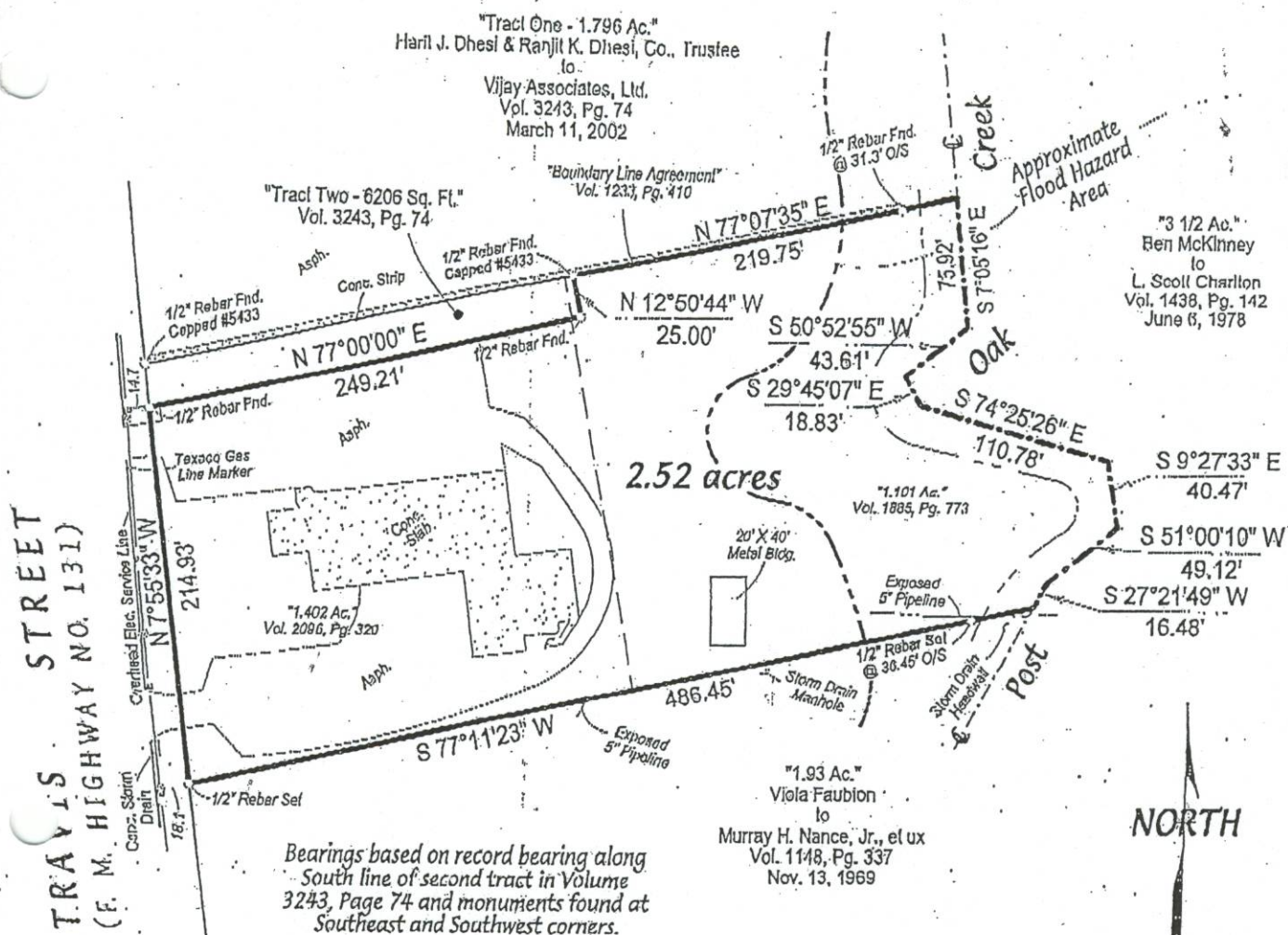
2511 NORTH TRAVIS SITE PLAN

Department of Developmental Services





Apr. 18 2007 01:09PM P2



J. B. McANAIR SURVEY
ABST. NO. 763

Scale: 1" = 100'

SARTIN & ASSOCIATES, INC.
Registered Professional Land Surveyors
P.O. Box 1843 - 109 S. Travis - Sherman, Texas 75091-1843
phone (903)892-8003 - fax (903)868-2970

SURVEY FOR: GEORGIA HENDRIX

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 7 th day of April, 2005 of the following described property:

(LEGAL DESCRIPTION ATTACHED)

That the improvements located on said property are known as 2511 N. TRAVIS STREET, SHERMAN, TEXAS and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying.

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE
DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE
TRANSACTION TAKING PLACE ON THE

SHERMAN



STAFF REVIEW LETTER

November 15, 2007

Saiqa Chaudhry
1047 Patricia
Sherman, Texas 75090

David A. Huffman
210 Kiowa Dr. E.
Gainesville, TX 76240

Dear Applicant,

The request for approval of a site plan concerning the property at 2511 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 20, 2007 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Meet all requirements of the C-1 (Retail Business) District Ordinance.
2. Show location of screened trash receptors.
3. Parking lot shall be HMAC or concrete.
4. An additional 15 feet of right-of-way dedication is required on Travis Street.
5. The two driveways that are existing shall have to remain in their existing location and not be relocated. If relocation is requested, only one drive will be allowed.
6. Meet all requirements of the 2003 ICC Fire Codes.
7. Platting of the property is required.
8. The business shall provide stacking spaces for eight (8) cars for the drive thru.
9. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

Scott Shadden

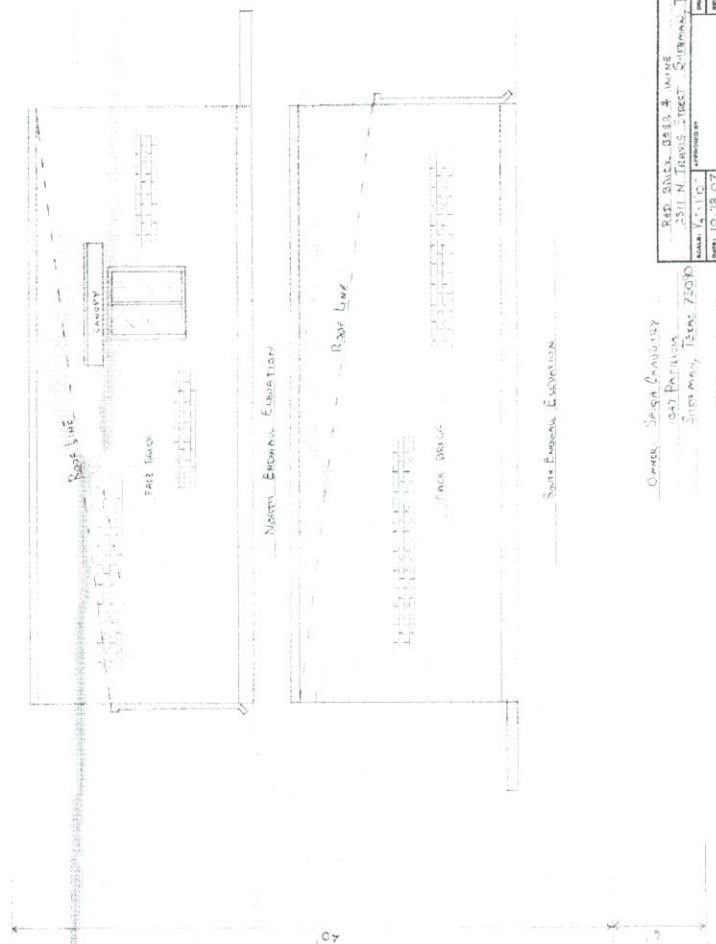
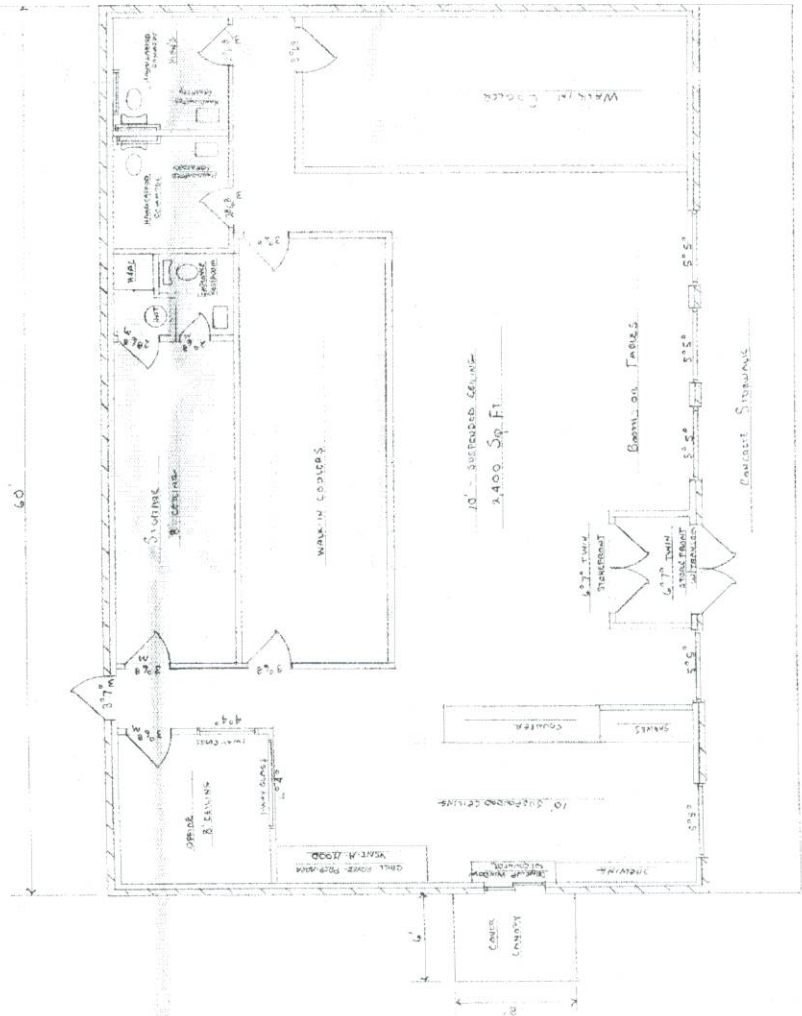
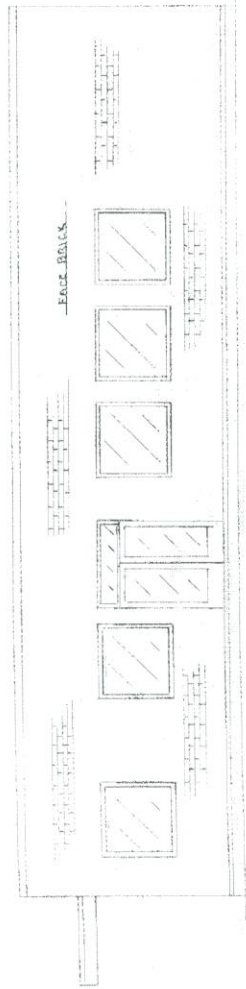
Secretary, Planning and Zoning Board and Board of Adjustment

cc: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer



RED BRICK BEER & WINE		DATE		DRAWN
2511 N. TRAVIS STREET SHERMAN, TX		REVISED		
APPROVED BY:		SCALE: 1"=200'		DATE
		DATE: 10-28-07		
GT DESIGN				
BUILDING LAYOUT (PLOT PLAN)				DATE



ORDER: JAMES CRAMER
 2511 N. TRAVIS STREET, STEPHENSON, ILL.
 7500
 DATE: 12-28-57
 DRAWN BY: H. DESIGN
 CHECKED BY: H. DESIGN
 SCALE: 1/4" = 1'-0"
 SHEET: 2
 TITLE: FLOOR & ELEVATION PLANS

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

**Recommendation of Duplex Review Committee
to amend the Permitted Uses and Specific Uses in the
College Park Overlay District**

Requested Action/Proposed Use:

Consider recommendation to the City Council to amend Chapter 14, Exhibit A of the Code of Ordinances, entitled General Zoning Ordinance at Section 6.8.3, to amend the permitted and specific uses in the College Park Overlay District.

Background

The Duplex Review Committee met on November 6, 2007 to review the effects of duplex housing on residential neighborhoods. The Committee members included: Jason Sofey, Steve Jones and John Nix. The Committee recommends requiring a Specific Use Permit for two family dwellings and duplexes in R-1 Districts.

Origination:

Staff

Attachments:

Location Map
Draft Ordinance

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT
	C-1 RETAIL BUSINESS DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	C-O OFFICE DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT

	M-2 HEAVY MANUFACTURING DISTRICT
	M-H MANUFACTURED HOUSING DISTRICT
	BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	O-1 OVERLAY DISTRICT - 1417
	O-1.1 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	O-1.2 OVERLAY DISTRICT - COLLEGE PARK OVERLAY
	CPO ARTS & CULTURAL OVERLAY DISTRICT
	A&C CENTRAL BUSINESS DISTRICT
	CBD CENTRAL BUSINESS DISTRICT



COLLEGE PARK OVERLAY DISTRICT

Department of Developmental Services



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE" AT SECTION 6.8.3; TO AMEND THE REQUIREMENTS FOR THE COLLEGE PARK OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Section 6.8.3 of the Code of Ordinances of the City of Sherman, Texas, is hereby amended so that such section shall read as follows:

Sec. 6.8.3. College Park Overlay District

(1) Introduction.

(a) The College Park Overlay District, at the request of Austin College, ~~provides~~ *contains* minimum standards for new construction in the Austin College Community. The College Park Overlay District recognizes the special location, architectural character and land-use mix of the college park neighborhood and establishes appropriate standards for uses within the district. The overlay district is designed to *help* protect the private property values and public investments in and near the college park neighborhood, to reduce conflicts between new construction and existing development in the existing neighborhood, and to preserve the area's special ~~historie and architectural~~ character. The district ~~will create superior planning, design and~~ *promotes* mixing of land use to foster a livable community of residential, commercial and cultural uses and ~~will~~ encourages pedestrian access within the college park neighborhood and provides ~~multi-modal~~ connectivity to adjacent neighborhoods and the Central Business District. The district also respects socioeconomic diversity by encouraging a variety of home styles and sizes that are sympathetic to the neighborhood's historical diversity of design and fosters a cooperative atmosphere in the college park neighborhood between the City of Sherman, Austin College and private landowners to jointly realize the potential of the district. The College Park Overlay District development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of the College Park Area ~~be controlled through~~ *supports* careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the College Park Overlay District development area standards is to

ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the College Park Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and zoning commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design. Design standards for buildings ~~shall~~ *should* ensure that the design, color, materials, and basis for proportion of structures within the College Park Overlay District development area are harmonious with the intent of the ordinance.

(c) Screening. Required screening ~~shall~~ *should* accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents.

(d) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards ~~shall~~ *should* ensure that the mechanisms providing light do not negatively impact ~~on~~ the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(Ordinance 5361, sec. 1, adopted 2/6/06)

(3) Boundary areas.

(a) Area boundaries. College Park Overlay District development areas are those areas bounded as follows:

East: Harrison Street (from Pecan Street to Old Settlers Park)

North: Along the Railroad Tracks to the back of Old Settlers Park creating a natural boundary curving down to College Street.

West: Montgomery Street (from College to Pacific Street).

South: Pacific Street from Montgomery to Lee, south to Pecan, east on Pecan to Harrison Street.

(b) Compliance required. All property within the boundaries of the College Park Overlay District development areas shall adhere to the overlay district development standards.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the College Park Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process.

(Ordinance 5430 adopted 12/4/06)

(4) Building design.

(a) General provisions. All buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(b) Exterior walls. On new construction, building materials must be specified and may be permitted when such materials are 60% masonry, hardy board or concrete fiber board and consistent with the intent of these standards. A complete set of elevation plans and schedule of wall *and roof colors and finishes* materials used on every freestanding building shall be submitted to the ~~planning and zoning commission~~. (Not required for maintenance of or additions to existing nonconforming structures.)

(c) All new residential structures shall have a minimum 1,200 square foot living area. ~~Duplexes require 1200 square foot living area and a minimum one car garage per unit.~~
Exception – Patio Homes when authorized by a Specific Use Permit.

(d) Carports are prohibited

(e) Detached garages are permitted when architecturally designed to be compatible with historically significant and period style homes.

(f) Front entry ~~single car~~ garages are ~~permitted~~ *prohibited* on residential structures.

(5) Screening, Privacy Fences.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(A) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(B) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(A) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(B) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(C) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(D) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. Wire, chain link and corrugated fencing materials are not allowed.

(E) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(6) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(7) Signage.

(a) Maximum face area is 16 square foot.

(b) Maximum height is 4 foot.

(c) Off premise signs are prohibited

(8) Permitted and Specific Uses.

(a) Uses:

(A) No permitted or specific use in the College Park Overlay District may include drive-through facilities, gas pumps or canopies.

(B) Permitted Uses. Within the College Park Overlay District, the following uses are permitted *in any zoning district*.

(i) Residential & Educational:

Single family and duplex dwellings

Colleges and Universities

(C) Specific Uses. Within the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:

(ii) Educational:

Educational institutions

Dormitories/residence halls

Wellness education facility

Preschool

(i) Neighborhood & Community Service.

Arts/cultural center or exhibit hall

Bed and breakfast/historic inn

Charitable/religious institutions

Community center/house

Dance studio

Health care hospitality

Health club/fitness center

Parks

Patio Homes

Place of worship

Preschool & Day care centers, small and large

~~(iii) Neighborhood and Community Service:~~

~~Youth hostel~~

~~(C) Specific Uses. With the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:~~

~~(i) (ii) Medical/General Offices:~~

~~General offices~~

~~Medical and dental offices/services~~

~~Medical and other records storage~~

~~Medical offices~~

~~(ii) (iii) Ancillary/Retail/Neighborhood Uses allowed only on the first floor and up to a maximum of 3500 square feet of gross floor area per use:~~

~~Food store/convenience store excluding the sale of gasoline~~

~~General retail~~

Pharmacy

Research and development facilities

Restaurant/bakery/cafe

Retail bank/ATMs

Scientific and medical research labs

Technical and medical equipment development and/or services

(9) Procedures and notice.

(a) The planning and zoning commission shall review the specific elements of site and building plans for all commercial development within the College Park Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The planning and zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the planning and zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the planning and zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2007.

ADOPTED on this the _____ day of _____, 2007.

EFFECTIVE DATE on this the _____ day of _____, 2007.

CITY OF SHERMAN, TEXAS

BY: _____

BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
DOREEN E. MCGOOKEY,
CITY ATTORNEY

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

Recommendation of the Duplex Review Committee
to Amend the Permitted Uses in the
R-1 (One and Two Family Residential) District

Requested Action/Proposed Use:

Consider recommendation to the City Council to amend Chapter 14, Exhibit A of the Code of Ordinances, entitled General Zoning Ordinance at Section 6.2, to amend the permitted uses in the R-1 (One and Two Family Residential) District

Background

The Duplex Review Committee met on November 6, 2007 to review the effects of duplex housing on residential neighborhoods. The Committee members included: Jason Sofey, Steve Jones and John Nix. The Committee recommends requiring a Specific Use Permit for two family dwellings and duplexes in R-1 Districts.

Origination:

Staff

Attachments:

Location Map
Draft Ordinance

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT
	C-1 RETAIL BUSINESS DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	C-O OFFICE DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT

	M-2 HEAVY MANUFACTURING DISTRICT
	M-H MANUFACTURED HOUSING DISTRICT
	BLALOCK INDUSTRIAL PARK
	O-1 OVERLAY DISTRICT - 75 & 82
	O-1.1 OVERLAY DISTRICT - 1417
	O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CPO COLLEGE PARK OVERLAY
	A&C ARTS & CULTURAL OVERLAY DISTRICT
	CBD CENTRAL BUSINESS DISTRICT



R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT

Department of Developmental Services



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE" AT SECTION 6.2; TO AMEND THE REQUIREMENTS FOR ONE FAMILY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Section 6.2 of the Code of Ordinances of the City of Sherman, Texas, is hereby amended so that such section shall read as follows:

Sec. 6.2. R-1 (One and two-family residential) district.

- (1) Minimum requirements for lot area, width, and setback:

Lot area: 6,000 SF

Lot width: 60'

Front: 25'

Rear: 25'

Side yards: There shall be a side yard on each side of the main building not less than ten (10) percent of the mean horizontal distance between the side lines of the lot; except that such side yard shall be not less than six (6) feet; and need not be more than fifteen (15) feet. A building on a corner lot shall have a side yard adjacent to its side street of not less than ten (10) feet.

- (2) See section 7 for supplementary district regulations, exceptions and parking regulations applying to the R-1 District.
- (3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the board of adjustment and specific use permits that may be recommended by the [planning and] zoning board within the R-1 District under certain circumstances and conditions.
- (4) Permitted uses and parking requirements:

Permitted Uses	Parking Ratio
One and two family dwellings.	1/ bedroom (min. 2/unit)
Accessory building; garage or carport, domestic storage.	none
Bedrooms—two bedrooms may be rented to not more than four people.	1/unit
Field crops, horticulture, nursery, truck gardening, but not including retail sales on the premises.	none
Public park, playground or playfield.	none
Sign: Bulletin erected by a church, community center, school, public agency, or institution on its own premises for announcement purposes, and which does not exceed 20 square feet in area and 6 feet in height. See <u>section 7(14)(g)</u> . *none	
Sign: Identification not exceeding 1-1/2 square feet in area. Name and address only. See <u>section 7(14)(g)</u> . *	none
Sign: Real estate for sale, rent, or lease. Unlighted, 16 sq. ft. max. *	none
Swimming pool, private.	none
Railroad rights-of-way but not including shops and yards.	none
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	none
Home occupations: Any occupation that is customarily carried on at home that does not involve a structural change in the dwelling unit, that does not require the employment of help other than members of the immediate family, provided, however that the following uses shall not be permitted as customary home occupations: Any office in which services are rendered, or in which chattels or goods, wares or merchandise are commercially created, exchanged or sold; barber or beauty shops, beauty culture schools; commercial stables or kennels; doctor's office for the treatment of patients; and/or the display of goods.	

(5) Height regulations: No building shall exceed 35 feet or 2 stories in height.

(6) Front facing fences: Fences are not permitted in the front yard of any single family dwelling or duplex of any subdivision of four (4) lots or more, outside of the residential tax abatement zone and platted after this amendment to the ordinance, except an approved decorative fence.

(a) Decorative fences with openings not less than fifty (50) percent of the fence area and not exceeding three (3) feet in height are permitted in the front yard.

(b) Chain link, woven wire mesh or similar materials are not considered decorative fencing and are prohibited.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2007.

ADOPTED on this the _____ day of _____, 2007.

EFFECTIVE DATE on this the _____ day of _____, 2007.

CITY OF SHERMAN, TEXAS

BY: _____

BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
DOREEN E. MCGOOKEY,
CITY ATTORNEY

DRAFT

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
November 20, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

**Recommendation of the Duplex Review Committee
to Amend the Specific Use Permit List**

Requested Action/Proposed Use:

Consider recommendation to the City Council to amend Chapter 14, Exhibit A of the Code of Ordinances, entitled General Zoning Ordinance at Section 8 (5)(a) to amend the Specific Use Permit list.

Background

The Duplex Review Committee met on November 6, 2007 to review the effects of duplex housing on residential neighborhoods. The Committee members included: Jason Sofey, Steve Jones and John Nix. The Committee recommends requiring a Specific Use Permit for two family dwellings and duplexes in R-1 Districts.

Origination:

Staff

Attachments:

Location Map
Draft Ordinance

Prepared By:
Patsy Reeves
Development Services Secretary

Approved By:
Scott Shadden,
Development Services Director



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT
	C-1 RETAIL BUSINESS DISTRICT
	C-2 GENERAL COMMERCIAL DISTRICT
	CO OFFICE DISTRICT
	M-1 LIGHT MANUFACTURING DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT

	M-2 HEAVY MANUFACTURING DISTRICT
	M-H MANUFACTURED HOUSING DISTRICT
	B-I-P BLALOCK INDUSTRIAL PARK
	O-1 OVERLAY DISTRICT - 75 & 82
	O-1.1 OVERLAY DISTRICT - 1417
	O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CPO COLLEGE PARK OVERLAY
	A&C ARTS & CULTURAL OVERLAY DISTRICT
	CBD CENTRAL BUSINESS DISTRICT



SPECIFIC USE PERMIT

Department of Developmental Services



ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE" AT SECTION 8 (5)(a); TO AMEND THE REQUIREMENTS FOR TWO-FAMILY DWELLINGS (DUPLEX); PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Section 8 (5)(a) of the Code of Ordinances of the City of Sherman, Texas, is hereby amended so that such section shall read as follows:

(5) Specific use permits:

(a) In addition to the zoning permit called for in subsection (3) above, a specific use permit shall be required before the following specific uses can be permitted in the district or districts indicated.

The following specific uses are permitted in any district of lower classification than indicated herein without a specific use permit:

Parking Requirement	Specific Use	District
1/3 seats	Auditorium, arena, coliseum, theater or amphitheater	C-1
None	Automobile/boat sales, new or used	C
1/400	Automobile, glass, muffler, seat cover, tire and upholstery service, sales, installation and repair, but not including tire recapping	C-2
None	Automobile parking lot	R
None	Automobile repair, body, work, painting. Automobile, wrecks, for sale, damaged condition may be offered for sale; provided the automobiles are stored within a	C-2

	completely enclosed building. The salvage or dismantling of parts or wrecked automobiles for sale or the salvage of undamaged portions of automobiles for assembly to undamaged portions of other automobiles is hereby prohibited within the C-2 (General Commercial) District. The storage of wrecked or damaged automobiles for any purpose other than those specified herein is prohibited	
1/1,000 sq. ft. of general floor space and 1/400 sq. ft. of office floor space	Automobile wrecking, salvaging, and storage	M
1/200	Beauty parlor, single operator homeowner	R
1 /guest room 1 /innkeeper	Bed and Breakfast establishments	R
None	Cemetery or mausoleum	R
1/7	Church or other place of worship including parish houses and Sunday Schools, but excluding rescue missions or temporary revivals	R
1/200	City, county, state and federal govt. garage, maintenance yard, or similar govt. establishment	R
1/400	Club or lodge	C
1/200	Commercial amusement centers	C
None	Concession stand within a park, playground or playfield	R
1/400	Contractors or construction offices,	C-2
None	Construction, equipment sales, service, rental and repair shops and yards	C-2
1/3 beds	Convalescent home	In any District
1/200	Doctor or dentist One doctor or	R

	dentist with staff	
	No retail sales	
None	Earth moving and excavations, depositing of construction materials, clay, earth, gravel, minerals, rock, sand or stone on the ground	In any District
1/400	Electrical substation	R
1/400	Farm equipment sales, service, repairs, feed store	C-2
1/400	Freight depot or terminal, railroad and/or truck	C-2
1/400	Gas compressor or regulator station	R
8/green	Golf course	R
1/200	Halfway house; mental, alcoholic, etc.	R, C
1/3 beds	Hospitals, general, not including animal	In any District
1 unit	Hotel	C-1
2/1 unit	Industrialized Housing	SF1 & R
1/3 beds	Institution, correctional, detention penal or for use of insane, feeble minded, alcoholic or narcotic patients on a minimum site of 15 acres	R
1/3 beds	Institution for children and aged; nonprofit	R
1/400	Lumberyard (parking does not include lumber sheds)	C-2
1/200	Medical or dental clinic	R
	No retail sales	
1/400	Meeting halls	C
None	Mining, including extraction of clay, gravel, sand; quarrying of rocks or stone	In any District
1/unit	Mobile home park	C-2

1/400	Mobile home/manufactured home sales with distribution	C-2 & M
1/200 office	Model home display/sales without distribution	C & M
1/unit	Motel	C-1
1/2,000 sq. ft. of space utilized for total operation	Motorized outdoor amusements (i.e. go-carts, motorcycles)	In any District
2/1	Multi-family dwellings	C
1/3 beds	Nursing home	In any District
1/200	Office—services only, no sales of goods, wares or merchandise or storing stocks	R
1/bedroom (min. 2/unit) 2/1	One and Two-family dwellings	C
1/bedroom (min. 2/unit) 2/1	Patio homes	In any District
1/200	Photographer's studio; sales limited to photos and film	R
1/1,000	Pipe storage enclosed	C-2
1/400	Private clubs when required to obtain a permit from the Texas Alcoholic Beverage Commission Note: The parking requirement of 1/400 applies to the bar and/or dance floor portion of the club only.* C & M	
1/400	Public library or museum	R
None	Radio or television broadcasting transmitter or tower, microwave relay tower	In any District
1/1,000 sq. ft. of space utilized for total operation	Recycling center	C
1/3 beds	Sanatorium on a site of 10 acres or more	R
1/1.5 emp.	Schools, elementary, high, college and universities, public, private or	In any District

	denominational	
1/1.5 emp.	School, nursery, kindergarten or daycare for children	R
	Sexually oriented businesses*	
1/200	Shopping center on a site of 5 acres or more	R
None	Sign: Advertised or billboard (Which directs attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot)	C-2 & M
1/100	Teaching or tutoring more than 4 students at any one time	R
1/400	Telephone exchange, but not including garage, shop or service	R
1/400	Trucking, carting, crating, express handling and storage	C-2
1/1,000	Transit vehicle, bus and truck storage, servicing[,] repairs and sales	C-2
1/bedroom (min. 2/unit) 2/Unit	Two-family dwelling (duplex)	SF-1, R-1
1/1,000	Warehousing establishment other than accessory to permitted retain use	C-2

(b) A specific use permit is an amendment to the district regulations of the zoning ordinance that permits the permanent establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure discontinue or be abandoned for a period of sixty (60) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new specific use permit granted in accordance with this section.

(c) The building official shall not issue a zoning permit for such uses that are hereafter created, changed, converted or enlarged, either wholly or in part, until a specific use has been obtained in accordance with the amendment procedures set forth in section 12.

(d) The purpose of the regulations described in this subsection is to allow the proper integration into the city of uses which may be suitable only in specific locations in a zoning district.

(e) Application for a specific use permit shall be made by the property owner or certified agent thereof to the zoning board on forms prescribed for this purpose by the city council. Such application shall be accompanied by a site plan as set forth in section 7. When application for a specific use permit is made for a use that can only be permitted by issuance of a specific use permit, the zoning board may require additional plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed. A specific use permit shall not be granted when the requested use is not compatible with the character of the neighborhood. Specific use permits, revocable, conditional or valid for a term period, may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this ordinance. Granting a specific use permit does not exempt the applicant from complying with the requirements of the building code or other ordinances. Applicants for a specific use permit to drill an oil and/or gas well shall comply with all of the requirements of Chapter 20 [now article 4.10] of the Code of Ordinances.

(f) The [planning and] zoning board may recommend approval or disapproval of an application for a specific use permit and, upon approval of a permit, the [planning and] zoning board may impose requirements and conditions as set out in (g) below.

(g) The zoning board shall consider:

1. The neighborhood, building and use characteristics as they relate to or are compatible with the existing and adjacent conditions and uses.
2. The separate and distinct problems that may be caused by a particular use, including but not limited to traffic, peace and order, safety, parking, health, morals and temperance.
3. Previous use permits for location.
4. The minutes of hearings for zone change approval for the location.

(h) The board may approve or disapprove upon consideration of the above. Before recommending approval, the [planning and] zoning board may impose such requirements and conditions regarding development standards and safeguards as the conditions indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, or nuisances and for protection of the public interests.

Upon consideration of the factors herein set out and recommendation made under section [subsection] (g) above to impose certain conditions to a specific

use permit, the board shall make specific findings, set out in the minutes of the board as follows:

1. The proposed structure or use conforms to the requirements and intent of this ordinance and the comprehensive plan of the city;
2. That all applicable conditions and factors herein set out have been considered;
3. That the imposition of conditions provided in section 6(5)(g) have been met; and the use does not constitute a nuisance or detriment to the public.

(6) Construction and use to be as provided in applications, plans, building permits and zoning permits: Building permits or zoning permits issued on the basis of plans and applications approved by the building official authorize only the use, arrangement and construction set forth in such approved plans and applications. Any other use, arrangement or construction at variance with that authorized shall be deemed violation of this ordinance, and punishable as provided by section 15 hereof.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2007.

ADOPTED on this the _____ day of _____, 2007.

EFFECTIVE DATE on this the _____ day of _____, 2007.

CITY OF SHERMAN, TEXAS

BY: _____

BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
DOREEN E. MCGOOKEY,
CITY ATTORNEY

DRAFT

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE" AT SECTION 6.8.3; TO AMEND THE REQUIREMENTS FOR THE COLLEGE PARK OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Section 6.8.3 of the Code of Ordinances of the City of Sherman, Texas, is hereby amended so that such section shall read as follows:

Sec. 6.8.3. College Park Overlay District

(1) Introduction.

(a) The College Park Overlay District, at the request of Austin College, ~~provides~~ *contains* minimum standards for new construction in the Austin College Community. The College Park Overlay District recognizes the special location, architectural character and land-use mix of the college park neighborhood and establishes appropriate standards for uses with the district. The overlay district is designed to *help* protect the private property values and public investments in and near the college park neighborhood, to reduce conflicts between new construction and existing development in the existing neighborhood, and to preserve the area's special ~~historie and architectural~~ character. The district ~~will create superior planning, design and~~ *promotes* mixing of land use to foster a livable community of residential, commercial and cultural uses and ~~will~~ encourages pedestrian access within the college park neighborhood and provides ~~multi-modal~~ connectivity to adjacent neighborhoods and the Central Business District. The district also respects socioeconomic diversity by encouraging a variety of home styles and sizes that are sympathetic to the neighborhood's historical diversity of design and fosters a cooperative atmosphere in the college park neighborhood between the City of Sherman, Austin College and private landowners to jointly realize the potential of the district. The College Park Overlay District development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of the College Park Area ~~be controlled through~~ *supports* careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the College Park Overlay District development area standards is to

ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the College Park Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and zoning commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design. Design standards for buildings ~~shall~~ *should* ensure that the design, color, materials, and basis for proportion of structures within the College Park Overlay District development area are harmonious with the intent of the ordinance.

(c) Screening. Required screening ~~shall~~ *should* accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents.

(d) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards ~~shall~~ *should* ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(Ordinance 5361, sec. 1, adopted 2/6/06)

(3) Boundary areas.

(a) Area boundaries. College Park Overlay District development areas are those areas bounded as follows:

East: Harrison Street (from Pecan Street to Old Settlers Park)

North: Along the Railroad Tracks to the back of Old Settlers Park creating a natural boundary curving down to College Street.

West: Montgomery Street (from College to Pacific Street).

South: Pacific Street from Montgomery to Lee, south to Pecan, east on Pecan to Harrison Street.

(b) Compliance required. All property within the boundaries of the College Park Overlay District development areas shall adhere to the overlay district development standards.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the College Park Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process.

(Ordinance 5430 adopted 12/4/06)

(4) Building design.

(a) General provisions. All buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(b) Exterior walls. On new construction, building materials must be specified and may be permitted when such materials are 60% masonry, hardy board or concrete fiber board and consistent with the intent of these standards. A complete set of elevation plans and schedule of wall *and roof colors and finishes* materials used on every freestanding building shall be submitted *to the building official to the planning and zoning commission*. (Not required for maintenance of or additions to existing nonconforming structures.)

(c) All new residential structures shall have a minimum 1,200 square foot living area, *except patio homes authorized by a specific use permit*. ~~Duplexes require 1200 square foot living area and a minimum one car garage per unit.~~

(d) Carports are prohibited

(e) Detached garages are permitted when architecturally designed to be compatible with historically significant and period style homes.

(f) Front entry ~~single car~~ garages are ~~permitted~~ *prohibited* on residential structures.

(5) Screening, Privacy Fences.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(A) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(B) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(A) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(B) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(C) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(D) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. Wire, chain link and corrugated fencing materials are not allowed.

(E) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(6) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(7) Signage.

(a) Maximum face area is 16 square foot.

(b) Maximum height is 4 foot.

(c) Off premise signs are prohibited

(8) Permitted and Specific Uses.

(a) Uses:

(A) No permitted or specific use in the College Park Overlay District may include drive-through facilities, gas pumps or canopies.

(B) Permitted Uses. Within the College Park Overlay District, the following uses are permitted *in any zoning district*.

(i) Residential & *Educational*:

Single family and ~~duplex dwellings~~

Colleges and Universities

(C) Specific Uses. With the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:

(ii) ~~Educational~~:

~~Educational institutions~~

~~Dormitories/residence halls~~

~~Wellness education facility~~

~~Preschool~~

(i) *Neighborhood & Community Service.*

Arts/cultural center or exhibit hall

Bed and breakfast/historic inn

Charitable/religious institutions

Community center/house

Dance studio

Health care hospitality

Health club/fitness center

Parks

Patio Homes

Place of worship

Preschool & Day care centers, small and large

~~(iii) Neighborhood and Community Service:~~

~~Youth hostel~~

~~(C) Specific Uses. With the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:~~

~~(i) (ii) Medical/General Offices:~~

~~General offices~~

~~Medical and dental offices/services~~

~~Medical and other records storage~~

~~Medical offices~~

~~(ii) (iii) Ancillary/Retail/Neighborhood Uses allowed only on the first floor and up to a maximum of 3500 square feet of gross floor area per use:~~

~~Food store/convenience store excluding the sale of gasoline~~

~~General retail~~

Pharmacy

Research and development facilities

Restaurant/bakery/cafe

Retail bank/ATMs

Scientific and medical research labs

Technical and medical equipment development and/or services

(9) Procedures and notice.

(a) The planning and zoning commission shall review the specific elements of site and building plans for all commercial development within the College Park Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The planning and zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the planning and zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the planning and zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2007.

ADOPTED on this the _____ day of _____, 2007.

EFFECTIVE DATE on this the _____ day of _____, 2007.

CITY OF SHERMAN, TEXAS

BY: _____

BILL MAGERS, MAYOR

ATTEST:

BY: _____

LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____

**DOREEN E. MCGOOKEY,
CITY ATTORNEY**